

REVEALED: RIGHT-WING CONTACTS WITH IRANIAN EXILES

THE AMERICAN Prospect

LIBERAL INTELLIGENCE

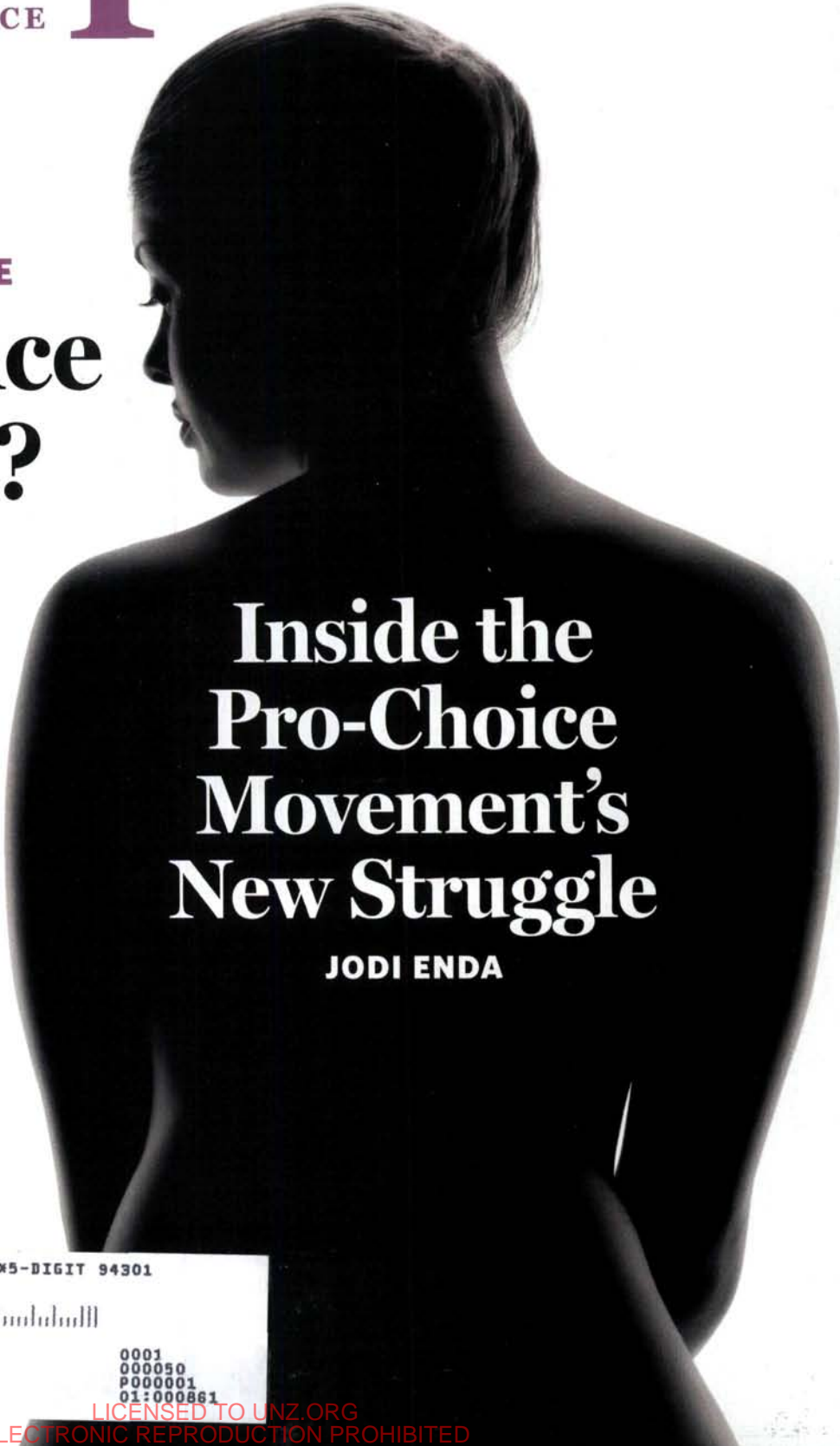
APRIL 2005

Is Joe Lieberman
Still a Democrat?

The Right's New
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ARE BIOTERRORISM DOLLARS MAKING US SAFER?

BREATHING EASIER?

THE REPORT OF THE CENTURY FOUNDATION
WORKING GROUP ON BIOTERRORISM PREPAREDNESS

"There is no area of vulnerability that is greater and where the need for action is more urgent than protecting our citizens against bioterrorism."

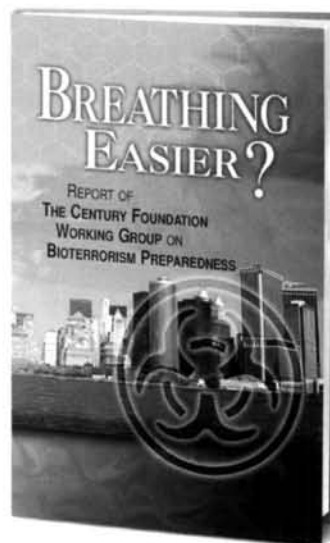
— SENATOR EDWARD M. KENNEDY

"This report underscores the fact that we need sustained investments in public health or we risk losing the gains we've made"

— GEORGES C. BENJAMIN, M.D.

Executive Director
American Public Health Association

Bioterrorism is the biggest national security threat of the 21st Century, according to many experts. But after spending almost \$3 billion on public health preparedness since the 2001 anthrax attacks, how much better prepared are we for a bioterror attack? In this new report from The Century Foundation, a group of leading public health policy experts and practitioners conclude that while increased federal funding has improved the capacity of the public health system, substantial vulnerabilities remain. They show why financing in this area is important and why money alone won't lead to the improvements we need. They offer recommendations to improve the system's ability to respond effectively to bioterror attacks and other public health emergencies.



The full report *BREATHING EASIER?* is available online at www.tcf.org, www.healthpolicywatch.org, and www.homelandsec.org. We also have a limited quantity of printed reports. To order one of these 24-page reports, please e-mail info@tcf.org or call 212-535-4441.

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This report was supported by a generous grant from the Robert Wood Johnson Foundation.

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THE AMERICAN Prospect

LIBERAL INTELLIGENCE

"I have spent many years of my life in opposition, and I rather like the role."

—ELEANOR ROOSEVELT

DISPATCHES

- 11 **Must Joe Go?** *by Matthew Yglesias*
Voting for (and praising) Condi, weaseling on the bankruptcy bill, waffling (still, sometimes) on Social Security: Has Joe Lieberman finally gone too far?
- 12 **College Try** *by Jeffrey Dubner*
As Ohioans prepare for the battle over David Horowitz's "academic bill of rights," they might take a look at the mayhem it's already caused in Colorado.
- 14 **Labor Intense** *by Harold Meyerson*
The AFL-CIO's Las Vegas meeting descended into contentious shouting matches, but as labor gears up for a huge summer showdown, the worst is yet to come.

FEATURES

- 17 **The Front** *by Laura Rozen and Jeet Heer*
Why is a Pennsylvania congressman hyping his contacts with Iranian exile "Ali"? And who is "Ali," anyway? They don't want you to know. We do.
- 22 **The Women's View** *by Jodi Enda*
The abortion-rights movement is on the defensive now as it hasn't been in years. There's a way to save choice—and it's how choice was won in the first place.
- 28 **Zapatero Steps Up** *by Geoff Pingree and Lisa Abend*
Legalized gay marriage, new rights for women, wholesale de-Francoization, even a new Basque approach: the new prime minister's incredible first year.
- 32 **Goodbye to All That** *by Kevin Mattson*
The spirit of '68 still lives on in some quarters of the left. Too bad—there are much more effective ways to be an opposition party than by reliving the past.
- 39 **Blog Rolled** *by Garance Franke-Ruta*
Most people think bloggers are just independent citizens having their say. But as some recent, high-profile episodes show, most people are dead wrong.
- 43 **Two If By Sea** *by James Verini*
The ports of Los Angeles and Long Beach are America's lifeline to world trade. Unfortunately, three-plus years after September 11, they're still sitting ducks.
- 48 **One Nation, Under Siege** *by Sasha Abramsky*
South Africa has been free from apartheid's coffer for 11 years. But when people are killed every day going from their cars to their front doors, that's not freedom.

DEPARTMENTS

- 4 **Correspondence**
- 6 **Devil in the Details:**
Rick Santorum, a new man; three more pathetic judicial nominees; the congressman who wants to nuke Syria; plus Kirk Anderson

COLUMNS

- 3 **Prospects:** Their Sun Also Rises *by Paul Starr*
- 16 **The Taxonomist:** They Make It Up. You Decide. *by Robert S. McIntyre*
- 64 **The Last Word:** The Bolton Fights (Plural) *by Michael Tomasky*

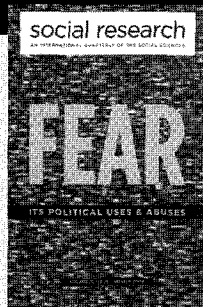
CULTURE & BOOKS

- 53 **MEDIA:** Hello, Henhouse? Fox Calling *by Todd Gitlin*
Discussed at the *Times*: Affirmative action for right-wingers!
- 55 **SPRING BOOKS:** *Sarah Blustein* sizes up feminism and motherhood via Judith Warner et al.; *David Greenberg* considers Alan Wolfe's prescription for American greatness; *James A. Morone* studies David Hackett Fischer's history lessons; *Harold Meyerson* strolls Steven Fraser's Wall Street

Cover design by Aaron Morales

ISSUES IN FOCUS

at The New School's
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FEAR: Its Political Uses and Abuses

Vol. 71 No. 4 (Winter 2004)

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MEDIA RELATIONS Erin Pressley, (202) 776-0730

NEWSSTAND DISTRIBUTION Big Top Newsstand Services, a division of the IPA,
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PRESS SYNDICATION Agence Global, (336) 686-9002

REPRINTS permissions@prospect.org

Their Sun Also Rises

FAMOUSLY, ON THE LAST DAY OF THE CONSTITUTIONAL Convention in Philadelphia, Benjamin Franklin pointed to an image of the sun painted on the back of George Washington's chair and said that he finally had "the happiness to know it is a rising and not a setting

sun." Ever since then, Americans have had the same happy thought: Our sun has always been rising.

And today, as we conceive things, that sun shines more brightly than ever. For in the governing narrative of our time, the United States is the world's only superpower, freedom is on the march, and the superiority of the American economic model has been proven beyond a shadow of a doubt.

What threatens us, we believe, comes from the backward regions of undemocratic or failed states and the terrorist organizations that operate from them. September 11 showed us they can do grave harm. But unlike Soviet communism, they do not represent a general ideological challenge, an alternative economic model, or a great-power rival. In our governing narrative, democracy has triumphed, and now we are consolidating the victory.

Suppose, however, that we have misread what is happening in the world and that a different narrative turns out to be correct. With the benefit of hindsight years from now, this may be seen as the era when China emerged as a great power, the United States undermined its own economic strength, and American influence in Asia, Europe, and even Latin America began to recede.

With the highest growth rate of all major economies, China is on its way to becoming the largest. Its economic clout is immense, and its political influence is rising. Developing countries look to it as

an alternative model of rapid economic growth, without such liberal complications as a free press, free elections, or an independent judiciary. No imaginative leap is necessary to predict that China will eventually turn its wealth into military might and become a superpower greater than the Soviet Union ever was.

And when its sun has risen fully, China may no longer be content to play a quiet role in the world. In mid-March, the National People's Congress in Beijing authorized the use of "nonpeaceful" means against Taiwan if the latter ever moves toward independence. No confrontation looms at the moment. But China may be only biding its time, waiting until its power is so overwhelming that it can demand Taiwan's submission, confident that the United States will have no choice but to go along.

China is so integrated into the world economy that we hope its leaders would hesitate to resort to force. But the flip side of China's integration is that the United States and other countries have become so dependent on China that we may hesitate to confront it. With America's staggering trade and budget deficits—and with the Chinese purchases of U.S. Treasury bonds vital to the dollar's stability—we have unnecessarily under-

mined our own position and put the dollar (and our economy) at risk. The long-term danger is that persistent taxophobia—and Republican political opportunism—could create a lethal fiscal crisis undermining our strength.

And that is not the only way in which America may undercut itself. During the past decade, as China's economy expanded, the expectation was that companies in the United States and other Western nations would outsource manufacturing and other routine aspects of production, while retaining at home the higher-level "brainwork." Now, however, companies are increasingly contracting out design and innovation, hoping to cut research-and-development costs by drawing on engineers and other low-paid technical workers in China, India, and elsewhere.

These are the very functions that were supposed to be the future of the American economy. They are also the basis of our advantage in technologies with critical military applications. By outsourcing innovation, we risk raising up our rivals to a position equal to our own.

The rise of China is the big contradiction to the claims of democracy's triumph, but it is not the only one. Russia and Iran

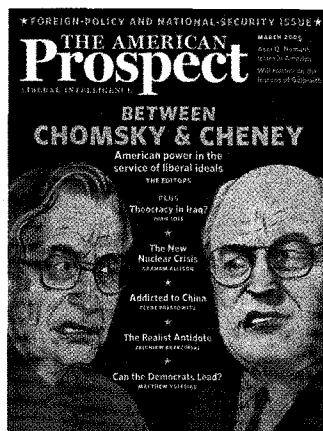
have both reverted to more authoritarian rule. Even among democratic countries, American influence is weaker than it was a decade ago. Bush's policies have inflamed anti-Americanism, the European Union has emerged as a counterweight to the United States, and many countries regard European-style social democracy as

a more attractive model than America's free-market conservatism.

I'm not saying we're destined to decline. But we had better jog ourselves out of the eternal sunshine of our president's spotless mind and start dealing with our real economic and political problems. We cannot stop China's sun from rising, but we can keep our own from setting. **TAP**

— PAUL STARR

*Just when China
emerges as a
great power,
we are needlessly
undercutting our
own strength.*



Pipe Dreamers?

THE LIBERAL VIEWS AS expressed in "Liberal Uses of Power" [March 2005], if embodied in foreign policy, would place the United States at great risk and keep millions of people subjected to tyranny. Liberals don't get it, and, as offered by this article, they propose strategies that don't recognize the harsh realities of the world we live in.

The article concludes with the belief that President Bush has essentially stiff-armed our "allies," won't join hands with the international community, and will continue apace in a "unilateral" fashion.

Let's review the bidding. Our allies have propped up and benefited in the billions from a relationship with Saddam Hussein, sold nuclear fuel to Iran, sold arms to Syria, fed anti-Semitism in Europe, and undercut the United States at every turn.

The key international organization, the United Nations, is corrupt and out of control. It allowed an oil-for-food program to prop up and arm Hussein, generated huge profits for bureaucrats, and has done nothing to stop genocide and rape in Africa and elsewhere around the world. It couldn't even re-

*No more "America
for Democratic
Anguish" ... I think
it's insulting
to Chomsky.*

—IRV FEINER
VIA E-MAIL

spond effectively to the tsunami crisis. NATO is losing its relevance, and the European Union is struggling to determine what it is.

So, are we to invest in corrupt and ineffective organizations for the sake of being part of the international community? At what cost, and for what benefit? It may feel good for liberals to promote this concept, but in practical terms, the costs, at this point in time, far outweigh any benefits.

Bush's unilateralism has allowed democracy to get a foothold in Afghanistan and Iraq, and eliminated many terrorists and disrupted their organizations. These actions have spawned democratic movements in Palestine, Lebanon, Ukraine, and maybe even Egypt. The whole calculus in foreign affairs has changed because of what we and our partners (e.g., Britain, Australia, Italy, Japan, etc.) have done.

In reading your article, it's clear to me why the average American doesn't trust liberals: Your policies put us at greater risk and do not reflect reality, only a "Kumbaya" pipe dream. As a businessman, I have learned the hard way that you invest in value, not an empty suit. You guys

haven't learned that lesson—and it appears you never will.

GORDON DAVIDSON
Fairfax Station, VA

Viva Noam

I GOT THE MARCH PROSPECT and the cover showed Noam Chomsky versus Dick Cheney. "Wow!" I said. "The Prospect scored a debate between one of America's great dissidents and the vice president." I searched and searched, but finally discovered it was a "wise ass" put down of Chomsky. I get it: There is a "middle way." Please, no more "America for Democratic Anguish."

Frankly, I think it's insulting to Chomsky.

IRV FEINER
Via e-mail

Bad Habit

I FEAR THAT DEAN BAKER'S casual brush-off of Social Security's "accounting fiction" ["Bush's Numbers Racket," February]—that it will be paid for by general funds when the notes come due—is too optimistic. If we have an administration that can balance a budget when the bills come due, either the government will have to defund other programs or raise taxes.

The accounting fiction is a useful tool when the general budget is in balance. By buying government bonds, the Social Security Administration relieves the eventual pressure when the general fund has to pick up the tab. When the general fund is in deficit, however, the payroll tax can feed a bad habit.

In 2001, when President Bush looked at a total federal budget in the black and declared a dividend, he treated

Social Security taxes as just one more source of revenue. When he cut other taxes, he transferred the Social Security surplus to general funds. Thus, the regressive tax was used to pay tax relief for the rich.

Where were the Democrats?
GERALD DALZELL
Rutherford, NJ

Different Danger

HEREWITH TWO COMMENTS on Graham Allison's characterization of nuclear terrorism as "The Gravest Danger" to Americans [March].

Of the lesser importance is that the risk of nuclear terrorism could be completely eliminated and there would still be a formidable lot of threats, headed by biological and chemical weapons but also including less sophisticated weapons. Where there is motivation for terrorism, means will always be found.

The more important comment is that Allison's emphasis, on a particular mode of terrorism, neglects the risk that the Bush administration, and possibly its successors, will go on failing to reduce militant Muslim terrorism against Americans.

JETSON E. LINCOLN
Via e-mail

The G-Word

IN MICHAEL STEINBERGER'S article "Neo-Economics" [March], he states that "by its very nature, globalization tends to disperse power." Implicitly in the article, this is purported to describe an erosion of America's preeminence in international affairs. President Bush, along with every president for the past

quarter-century, has seen increased trade and investment between the United States and foreign states as serving the national interest and consolidating America's position within the international system. Whether globalization has increased the European Union or China's position relative to the United States is debatable. Neoconservatives would say it has only done so if one can show it has reduced the gap in military strength between the United States and others. Clearly, that has not been the case.

What doesn't seem debatable is how globalization has dispersed power, not in relations between states but in the relationship between states and private corporations and investors. Globalization has undoubtedly enhanced the power that transnational companies and brokers hold in the international marketplace, and, according to many, has done so at the expense of nation-states.

This is not a dispersal of power, however; it is a shift, and many multinational corporations are now major players that governments must deal with—sometimes in shared interests, sometimes not. In some industries, globalization has resulted in massive centralization of economic power in a small number of firms.

Many of the things you point out that Bush has neglected will only be compounded if investors and companies with loyalty to no nation lose confidence in the returns they see in the American dollar, bonds, stocks, and securities while central bankers in East Asia decide to "diversify their holdings of

foreign currencies" (in other words, ditch the dollar).

Globalization hasn't necessarily dispersed power in any sense of "decentralization." It may have simply taken it away from national governments.

DAVE TOWNSEND
St. Ansgar, IA

Moore, Please

AFTER READING "Is Moore Less?" [February], I had to check the cover of the magazine: Was I reading the *National Review*?

As a Democrat, I was enraged that not one newspaper, television station, or radio station opposed the Iraq War (and they accepted all the lies this administration told). Congress did what, with few exceptions, has become the rule and evaded its constitutional duty to declare war.

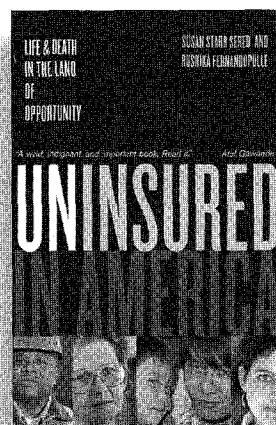
And so it was with much chagrin that I read an article that described Michael Moore in such an uncomplimentary fashion. He had the fortitude to stand up against the tidal wave of lies that got us into this war. He did that which the rest of our media wouldn't do: He questioned what he heard. He has since been ridiculed and demonized by the neoconservatives, and it appears their insidious tactics have born fruit.

It is a disappointment that you can't put Michael Moore in a positive light—especially when his criticisms of this war have been confirmed.

ED POWICK
Cape May, NJ

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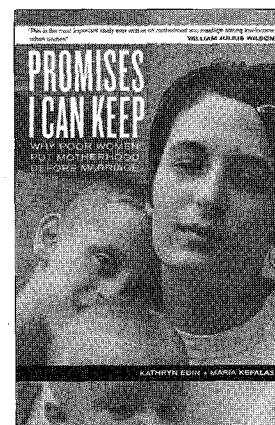
—ATUL GAWANDE, M.D.,
author of *Complications*

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Devil in the Details



MAN OF THE PEOPLE

READERS OF THE CON-
gressional newspaper
The Hill may have
stumbled across a confusing
headline on March 3: "Santo-
rum shifts left for '06 run."
Pennsylvania Senator Rick
Santorum? He of the "man-
on-dog" theory of marital
law? The Senate's most fear-
less advocate for destroying
Social Security?

Yup. Santorum is facing a
sure-to-be-tough re-election
fight in 2006 against the pop-
ular Democratic state treas-
urer, Bob Casey Jr. So some
image recalibration is in order.

Did you know that fighting
poverty was the senator's true
passion? You didn't? Well, say
hello to the new Rick Santo-
rum, servant of the poor.

The senator tried out his
new LBJ vibe at the March 2

unveiling of the Senate Re-
publican Poverty Alleviation
Agenda. Speaking in front of a
huge "Fighting Poverty" ban-
ner, Santorum and three Re-
publican colleagues laid out
what he called an "important
and proactive agenda to com-
bat poverty across our nation,"
which included such guaran-
teed poverty-busters as reau-
thorization of the 1996 welfare
law, tax deductions for charita-
ble giving (which President
Bush had already scrapped
from his budget), and the
waiving of hiring-discrimina-
tion laws for federally sup-
ported religious groups. The
Works Progress Administra-
tion this ain't, though Santo-
rum deserved points for
candor when he acknowl-
edged, in his speech, that
"we're helping out, let me be

honest, a little bit, not a lot."

During the ensuing floor
fight over the recent bank-
ruptcy bill, Santorum waxed
pocketbook populist with
new fervor. On March 7, San-
torum submitted for floor de-
bate an amendment to the
bill that would raise the fed-
eral minimum wage by \$1.10
an hour over the next two
years. Of course, it wasn't the
most straightforward of wage
hikes. The amendment also
included provisions that
would widen the scope of
businesses exempt from the
wage and hour requirements
of the Fair Labor Standards
Act; replace the 40-hour
work week with an 80-hour
two-week work period, within
which employers would have
sole discretion to allot work
hours; and prohibit localities
from enforcing any mini-
mum-wage ordinances that
don't apply a 100-percent
tips-as-wage standard. One
can only guess as to why such
a package wasn't included in
the Republicans' official
Poverty Alleviation Agenda.

Luckily, nobody pushed the
bill. It was no secret that San-
torum introduced it only in
response to Ted Kennedy's
more generous minimum-
wage amendment. It was also
clear that Santorum's main
goal was to lend moderate
Republicans sufficient cover
to vote against Kennedy's
amendment and ensure safe
passage for a "clean" bank-
ruptcy bill. As Santorum him-
self said on the Senate floor,

"I hope, candidly, that we
don't agree to either amend-
ment at this time."

Thus did the new Rick San-
torum achieve his first gen-
uine success on behalf of
America's poor—ensuring the
failure of reactionary legisla-
tion put forth by, um, himself.

— SAM ROSENFELD

THE DUNCE CIRCUIT

WHAT WITH ALL THE
administration's wail-
ing about the threat of Demo-
cratic filibusters, you may
have missed the details on
whom, exactly, George W.
Bush has nominated to serve
on the federal bench. Con-
sider these three lulus the
Senate Judiciary Committee
heard from in March.

The month opened with a
hearing on 9th U.S. Circuit
Court of Appeals nominee
Bill Myers, a cattle and coal
lobbyist from Idaho. In his
two years as solicitor general
of the Interior Department,
Myers tangled with some of
the thorniest problems pre-
sented by our legal system—
for example, whether the
letters "o" and "i," when
placed side by side in that
order, spell "or" or "and." In
reinterpreting a 1976 mining
law, Myers determined that a
statute requiring the Interior
Department to prevent "un-
necessary or undue degrada-
tion" meant that the
department must allow any

degradation a mining company considered necessary. Have to dump 280 tons of rock on sacred Indian grounds for each ounce of gold you recover, as Glamis Gold, a Nevada-based mining company, sought to do? Not a problem!

The U.S. District Court for the District of Columbia saw it differently, noting in its opinion that “normally, of course, ‘or’ is to be accepted ... not as a word interchangeable with ‘and.’”

Then there’s Terrence Boyle, a nominee for the 4th U.S. Circuit, who has been reversed as a district-court judge at twice the circuit’s average rate, according to Senator Patrick Leahy. Higher courts have repeatedly overruled Boyle for “plain error,” a ground rarely invoked by appellate courts “to prevent a miscarriage of justice or to preserve the integrity and the reputation of the judicial process.”

Regarding Thomas Griffith, the remaining nominee, it’s hard to know whether he considers himself above the law or inhabits a netherworld beneath it. The D.C. Bar suspended Griffith’s membership twice for non-payment of dues; as a result, Griffith has been practicing law illegally since 1998. By the time he discovered his second suspension, Griffith had moved to Utah to serve as Brigham Young University’s general counsel, where he repeatedly declined to

take that state’s bar exam.

Bring on those filibusters, we say.

— JEFFREY DUBNER

A MOVEABLE MYTH

SO HOW ‘BOUT THOSE weapons of mass destruction in Syria?

Speaking in front of an audience of veterans at Sun Creek United Methodist Church in Allen, Texas, on February 19, Republican Congressman Sam Johnson let his listeners in on a conversation he’d supposedly had with Top Gun George W. Bush himself. “Syria is the problem,” Johnson said he told the president. “Syria is where those weapons of mass destruction are, in my view. You know, I can fly an F-15, put two nukes on ‘em, and I’ll make one pass. We won’t have to worry about Syria anymore.”

Johnson’s chief of staff, Cody Lusk, explained to *Roll Call*, which first reported the remarks, that Johnson “obviously does not believe” that the United States should launch a nuclear strike on Syria. Johnson later told *The Dallas Morning News* that he “was kind of joking” about starting a new war. “You know,” he said, “we were talking between veterans.” But was Johnson joking about Syria being the real location of Iraq’s phantom weapons? His office declined to speak to the *Prospect* about the congress-

DOSSIER: YOU PAY, THEY PLAY

The top 1 percent of U.S. households received an **average income-tax cut** of approximately \$40,990 in 2004, boosting their after-tax income by 5.3 percent ... The middle 20 percent of households received an average tax cut of \$980, boosting their **after-tax income** by 2 percent ... Including corporate tax cuts, the top 1 percent of households in 2004 received **one-third of all tax cuts** enacted under George W. Bush, garnering an average cut 70 times greater than that of the middle 20 percent of households ... One year earlier, the average tax cut for the middle 20 percent of taxpayers was \$827 ... George W. and Laura Bush’s **personal cut** that year was \$30,858 ... From 2000 to 2003, the share of the total tax burden borne by states and localities **increased by 15 percent** ... In 2002, the bottom-earning 20 percent of households paid 11.4 percent of their income in state and local taxes, compared with **5.2 percent of the income** of the top 1 percent ... Between 2002 and 2004, state budget gaps forcing tax increases and **service cuts** totaled approximately \$200 billion ... During those same years, Bush’s tax cuts for the wealthiest 1 percent totaled \$197.3 billion ... In 2003, 252 **Fortune 500 companies** shielded two-thirds of all profits from state corporate income taxes ... Thirty-five of those companies paid **no state income taxes** at all that year ... In 1952, federal **corporate income-tax receipts** constituted 6.1 percent of the total gross domestic product ... In 2004, they made up less than 1.7 percent of the GDP ... In 2003, 275 Fortune 500 companies enjoyed an average effective federal income-tax **rate of 17.2 percent** ... The official U.S. corporate income-tax rate is 35 percent ... Forty-six of those 275 companies paid **no federal income tax at all** ... Corporate offshore **tax sheltering** costs the U.S. Treasury an estimated \$30 billion to \$70 billion annually ... **Enron** created 881 foreign subsidiaries, including 692 in the Caymans ... At the **official rate**, Enron should have paid \$1.1 billion in federal taxes on reported profits between 1996 and 2001 ... It actually paid \$63 million ... Between 1988 and 2002, the total number of Internal Revenue Service **auditors** decreased by 30 percent ... Between 1988 and 1999, **audit rates for the poor** increased by 33 percent, but declined by 90 percent for those making \$100,000 or more ... From 1997 to 2002, 79 percent of all known cases of offshore tax evasion were not pursued due to **lack of IRS resources** ... In 2002, for every audit of a taxpayer making \$100,000 or more, **five taxpayers** earning below \$16,500 were audited ... The tax returns of one in every 47 of the **working poor** were audited that year, compared with one in every 145 of those making \$100,000 or more.

man's source for this piece of intelligence—intelligence that has evidently eluded Iraq Survey Group chiefs David Kay and Charles Duelfer, along with the CIA, the Pentagon's prewar satellite surveillance of the Iraqi border, and whoever it is who's interrogating—not gently, by all reports—suspected members of Iraq's Baathist resistance.

Despite the apparent lack of evidence, it's not hard to find expressions of belief that Syria is chock-full of weapons of mass destruction. Conservative journalists William Kristol and Morton Kondracke were spouting this line as far back as a June 2003 FOX News appearance, even before it became clear that there were no weapons of

mass destruction in Iraq. Nationally syndicated conservative talk-radio host Hugh Hewitt expressed his belief in the Syria theory more than once during our on-air conversations over the course of 2004. And a prominent evangelical Christian leader voiced the theory in an offhanded way during an interview with the *Prospect's* Ayelish McGarvey last October, citing unspecified "Air Force sources."

Skeptics, of course, can hardly produce conclusive evidence that there aren't Iraqi weapons of mass destruction in Syria. But if any real evidence for such a thing exists, the Bush administration would have a clear interest in making it known to as wide a public as possible. Yet while

the administration plainly has nothing that would stand up to even mildly serious scrutiny, it has no qualms about letting an under-the-radar whispering campaign take in the consumers of "fair and balanced" media reports.

Johnson's audience, meanwhile, greeted his remarks with neither horror nor laughter, but applause. Hard to keep a good myth down.

— MATTHEW YGLESIAS

OF LITTLE FAITH

IN EARLY MARCH, GEORGE W. Bush rallied his "armies of compassion" at the annual conference for leaders of faith-based organizations in Washington. "I am here to talk about my continued commitment to faith-based and community groups because I'm firmly committed to making sure every American can realize the promise of our country," he declared.

Bush came armed with statistics to drive his point home. According to the president, the administration has increased grants to faith-based organizations by 20 percent since 2003, meaning that about \$2 billion in grant money was awarded last year to religious charities. But Bush's faith-based agenda is more Holy Ghost than manna from heaven. For starters, the numbers don't add up: In 2003, \$1.1 billion was awarded to religious groups from money administered by five agencies—the departments of Health and Human Services, Housing and Urban Development, Justice, Labor, and Education. That year, the Agriculture Department and

the Agency for International Development also administered grants to religious groups. Those two were not tabulated in the 2003 figure, but this year they were, hence the goosed total.

While the administration spins the initiative as a way to bring new faith-based groups into the circle, in fact most of the grant recipients are large, well-established social-service providers that have received federal money for many years. According to tabulations by The Associated Press, more than 80 percent of the faith-based recipients in the Health and Human Services Department had received federal money before. At HUD, that figure was even higher. Additionally, Bush's original proposal to allow non-itemizers, who comprise 70 percent of taxpayers, to deduct their donations—which was supposed to amount to an \$80 billion increase in funding for charities—has gone absolutely nowhere.

Though Bush's most ardent supporters still praise the piety of the administration's policy agenda, some have seen the light. David Kuo served as special assistant to the president and deputy director of the White House's Office of Faith-Based and Community Initiatives, but recently wrote on the Web site Beliefnet that it didn't look to him as if the White House was trying very hard. "Capitol Hill gridlock could have been smashed by minimal West Wing effort," he wrote. "From tax cuts to Medicare, the White House gets what the White House really wants. It never really wanted the 'poor people stuff.'"

— AYELISH MCGARVEY

TRANSCRIPT

From the March 3 edition of FOX News' *Hannity & Colmes*

(Co-host) Alan Colmes: Look, is it OK? Do you have a First Amendment right not to stand up during the Pledge of Allegiance or "The Star-Spangled Banner"?

(Nationally syndicated Clear Channel radio host) Bill Cunningham: Alan Colmes, I think if you're a 16- or 17-year-old miscreant, and you don't know the sacrifices of American soldiers from Iwo Jima through Fallujah—if you have no idea what the red, the white, and the blue stands for—I think to have the chair pulled out from under you is the least of what should happen.

Colmes: I bet you were never a clown in school, huh Bill?

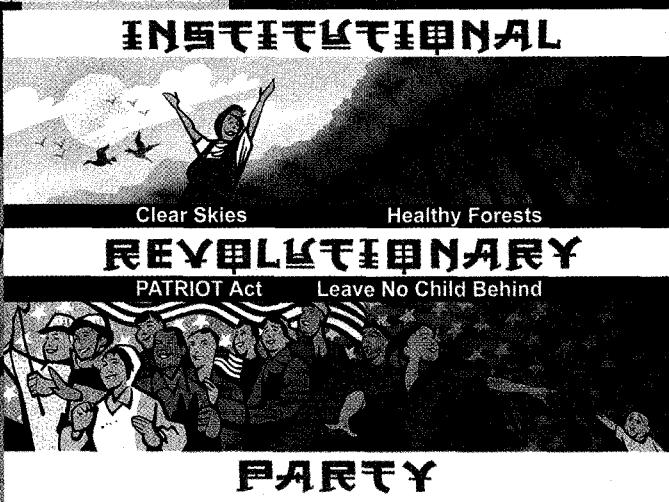
Cunningham: Never at all. I followed the American way.

Colmes: Look, are you OK with the idea that a school, a government school, a teacher in a government school, could whack your child, could hit your child, could physically harm—and without your permission as a parent? That would be OK with you?

Cunningham: No problem. In the good old days, back when AIDS was an appetite suppressant and when gay meant you were happy, back in those days there was discipline in public schools. But not today.

We need more of that old-fashioned religion, and we need more teachers beating people about the face and head, especially on the derriere. If we had more of that, believe me, we'd have less people thinking like you.

— Compiled with assistance from Media Matters for America, www.mediamatters.org



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KIRK 05

Thirty Attorneys General Speak Out On Pain Management!

**To: The Drug Enforcement Administration (DEA)
From: The National Association of Attorneys General**

January 19, 2005

We, the undersigned Attorneys General, write to express our concern about recent DEA actions with respect to prescription pain medication policy and to request a joint meeting with you...

The National Association of Attorneys General in 2003 adopted a Resolution Calling for a Balanced Approach to Promoting Pain Relief and Preventing Abuse of Pain Medications. Both these documents reflected a consensus among law enforcement agencies, health care practitioners, and patient advocates that the prevention of drug abuse is an important societal goal that can and should be pursued without hindering proper patient care. The [DEA Pain Guidelines] issued in 2004 appeared to be consistent with these principles, so we were surprised when they were withdrawn. The Interim Policy published on November 16, 2004 emphasizes enforcement, and seems likely to have a chilling effect on physicians engaged in the legitimate practice of medicine...

We have learned that adequate pain management is often difficult to obtain because many physicians fear investigations and enforcement actions if they prescribe adequate levels of opioids or have many patients with prescriptions for pain medications. We are working to address these concerns while ensuring that individuals who do divert or abuse drugs are prosecuted...

We hope that together we can find ways to prevent abuse and diversion without infringing on the legitimate practice of medicine or exerting a chilling effect on the willingness of physicians to treat patients who are in pain... We hope to meet with you soon.

Sincerely,

Attorneys General of:

Alaska, Arizona, Arkansas, California, Connecticut, District of Columbia, Georgia, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, Oregon, Puerto Rico, Rhode Island, South Carolina, Tennessee, Utah, Vermont, West Virginia

www.CommonSenseDrugPolicy.org, www.DrugWarFacts.org

Mike Gray, Chair; Robert Field, Co-Chair

See the full letter at www.csdp.org/naagletter.htm

Dispatches

"Listening to Horowitz rail against 'Stalinist K-12 teachers,' Georgia legislators realized that they were dealing with a crazy man."

—PAGE 14

MUST JOE GO?

It may be a fool's errand to run a primary against an incumbent senator. But some Nutmeg Staters are in search of one brave fool.

BY MATTHEW YGLESIAS

JOE LIEBERMAN HAS A SECRET: He's a pretty orthodox Democrat. In the spring of 2001, when 12 of the party's senators—almost one-quarter of the caucus—voted for the first round of Bush tax cuts, Lieberman voted against them. The liberal group Americans for Democratic Action gave Lieberman's 2003 voting record a "liberal quotient" of 70 (out of 100), putting him only slightly to the right of center in a caucus in which six members earned a 75 while Nebraska's Ben Nelson clocked in at 45. Harry Reid, the Democrats' new leader, had an identical score to Lieberman's.

The American Conservative Union, meanwhile, gave Lieberman a zero for 2004 and 2003, offering him a lifetime 17. This puts him to the left of uncontroversial Democrats like Blanche Lincoln (21), Thomas Carper (18), Tim Johnson (20), and, again, Reid (21). Indeed, in 2002 and 2003, Lieberman scored slightly to the left of John Kerry and John Edwards.

On environmental issues, in particular, Lieberman is a liberal leader. He earned a 100-percent score from the League of Conservation Voters last year, and his main bipartisan legislative initiative in the new Congress is a bill co-sponsored with John McCain to reduce carbon emissions and combat global warming.

And yet, most liberals know nothing of this Lieberman. And the reason they don't is that Lieberman has never emphasized this side of his record, instead parading his centrism to the point of seeming

embarrassed by his party affiliation. "His message is basically 'Republican good, Democrat bad,'" says Keith Crane, a member of the Bramford, Connecticut, town Democratic Committee. So lately, Crane has taken on another role: He is one of the



Fingered: Has Lieberman gone too far?

founders of Dump Joe, a group dedicated to finding and supporting a candidate willing to challenge Lieberman in next year's primary election.

OPPPOSITION TO LIEBERMAN IS DRIVEN by the sense that at a time when Democrats are seeking to achieve unity, and liberals are seeking to construct a new infrastructure comparable to the one the conservative movement has built over the past 30 years, Lieberman is un-

interested in acting as a team player. Postings on the Dump Joe e-mail list cite his willingness to disparage fellow Democrats on FOX News, often alongside his "good friend" Sean Hannity, as evidence of his unacceptability.

While other Democrats saw Condoleezza Rice's secretary-of-state nomination as a useful opportunity to critique the administration's foreign policy, Lieberman not only voted to confirm her, he went beyond the principle of deference to the president's choices to wax effusive. "It is important," he said, "that the world not only knows that this secretary of state has the ear of the president, but that she has, if you will allow me to put it this way, America's heart."

Such posturing turns liberal stomachs, but there's more at stake here than digestive tracts. Lieberman's acts of selective apostasy do real damage. While most Senate Democrats ultimately joined Lieberman in supporting the resolution authorizing the use of force against Iraq, had it not been for Lieberman's decision to join with Dick Gephardt in undermining the bipartisan compromise resolution being pushed by Senators Joe Biden and Dick Lugar, it might never have come to the floor at all. When the Abu Ghraib story broke last spring, it at first appeared that the Senate Republicans might buck tradition and mount a serious inquiry. The Armed Services Committee, which had oversight responsibility for the issue, contains several GOP moderates, and independent-minded conservative Lindsey Graham was visibly horrified by the revelations.

Lieberman, however, was minimizing the importance of the affair right out of the gate. In his opening statement at the committee's first hearing on the subject, Lieberman said he could not "help but say, however, that those who were responsible for killing 3,000 Americans on September 11, 2001, never apologized," an

argumentative move of dubious merits straight from the right-wing talk-radio handbook. "And those who murdered and burned and humiliated four Americans in Fallujah awhile ago never received an apology from anybody," Lieberman continued, thus debuting as the Democratic Party's leading apologist for torture.

He was also one of only six Senate Democrats—and the only one representing a blue state—to vote in favor of Alberto Gonzales' nomination as attorney general. On the March 6 episode of *Late Edition with Wolf Blitzer*, Lieberman said he was "not jumping to conclusions" about revelations that the CIA plans to continue the practice of "extraordinary rendition," in which terrorist suspects are sent abroad to, in effect, be tortured by friendly governments whose security services operate with less legal restraint than do America's. "The president has said we do not condone torture," Lieberman observed. "I don't start disbelieving the president on this."

REALISTICALLY, HOWEVER, MOUNTING a primary challenge to an incumbent senator is a daunting task. Dump Joe members insist that Lieberman's support is thin. "I went up to the Board of Aldermen meeting in New Haven," said one organizer who asked not to be identified out of concern that he could get in trouble with his employer, "and didn't get one negative response."

Lack of enthusiasm, however, doesn't necessarily translate into open hostility, let alone into someone credible being willing to raise the millions and put in the hours that a primary challenge requires. The dynamic is largely circular: If it looked like Lieberman might lose, more people would speak out against him, which might make it possible for him to be beaten; but if nobody does, nobody will.

Hoping to escape the trap, Lieberman opponents are taking advantage of a new ferment in online organizing and the blossoming of new groups like Howard Dean's Democracy for America and the Drinking Liberally social clubs that have sprung up in many cities to make contact with one another. But even novel groups like these—along with more traditional progressive

groups like Connecticut Citizen Action—shy away from the idea of throwing themselves into the fray, and the Dump Joe leaders emphasize that they are not formally affiliated with any of these groups.

Nevertheless, without any substantial publicity effort, the "Time To Go Joe" Web site had garnered more than \$34,740 in pledges in just two weeks as of March 15, and the group has attracted local media attention, including a favorable *Stamford Advocate* editorial that welcomed the increased "scrutiny" being thrown on Lieberman (without specifically endorsing the call for a primary). Crane says he's working on putting a better-looking site together that will be more widely publicized and could generate enough money to tempt a credible candidate into the race, thus changing the dynamic.

The key to whether Lieberman winds up feeling some serious heat will likely be Social Security, an issue on which the Democratic leadership in Washington has laid down the line and on which there's intense interest-group opposition to deviations. In late February, in response to hints that Lieberman was preparing to co-author a compromise privatization

plan with Graham, Joshua Micah Marshall wondered on his Web log Talking-PointsMemo.com "how quickly a few hundred thousand dollars of seed money could be raised to fund a decent primary opponent to run against Lieberman next year." Others in the blogosphere quickly chimed in that they'd be glad to help if Lieberman really does take the plunge.

But the more pressure Lieberman feels from the left, the less likely he is to stray off the reservation. By March 3, he had joined the vast majority of Senate Democrats in signing a letter that ruled out privatization as an option. As long as Lieberman sticks to that line, it's hard to see his opponents gaining much support.

Lieberman still sends signals of edging back toward compromise. Appearing on the March 6 *Late Edition*, Lieberman reiterated his opposition to privatization, but he accepted the view that Social Security is "a crisis that should be addressed now," said he was working with Republicans trying to devise a compromise, and added, "We can't take any of these ideas off the table." Unless that changes, the chance of a forced Lieberman retirement will stay on the table as well. **TAP**

COLLEGE TRY

David Horowitz's "academic bill of rights" was considered too loopy in Georgia. But it's done damage—and is gaining steam—elsewhere.

BY JEFFREY DUBNER

PEOPLE DON'T BELIEVE ME," GROUSES David Horowitz, "but I actually have a great affection for the idea of the liberal university."

His critics can be forgiven for thinking otherwise. Horowitz is at the high point of what has been a multi-decade campaign to rein in radical academics. Backed by studies purporting to show "a 95 percent left-wing faculty" at colleges around the country (studies often funded by the same foundations supporting The Center for the Study of Popular Culture, or CSPP, which pays Horowitz more than \$300,000 a year for his work as its president), he has made a mission of stamp-

ing out what he sees as pervasive liberal bias. In the process, he has raised a maelstrom that many academics say is doing untold damage to America's universities.

His current tool is the "academic bill of rights," or ABOR, which he has succeeded in adding to at least 12 states' legislative agendas. Georgia passed a version of the bill in March 2004; a push in Colorado let up in the same month when the state's public universities agreed to adopt its provisions. Ohio, both Horowitz and the ABOR's opponents agree, is the most crucial of this year's battlefields.

For the most part, the ABOR is a milquetoast screed of general principles for

colleges and universities, emphasizing “the pursuit of truth” and other lofty ideals. The bill’s resolutions largely restate goals and practices to which universities already aspire, such as nonideological grading. At its heart, the bill aims to protect students and faculty “from the imposition of any orthodoxy of a political, religious or ideological nature,” and to mandate, as the bill concludes, that “academic institutions and professional societies should maintain a posture of organizational neutrality with respect to the substantive disagreements that divide researchers.”

In practice, say the ABOR’s opponents, this pabulum could cripple academics’ and universities’ ability to teach. “Academic institutions,” argues a statement by the American Association of University Professors (AAUP), the bill’s chief critic, “perform their work precisely by making judgments of quality, which necessarily require them to intervene in academic controversies.” A law or policy establishing extradisciplinary standards, the AAUP contends, “would profoundly corrupt the academic integrity of universities.”

But at least as threatening as the consequences of the ABOR’s language is the rancor Horowitz’s campaign is generating. Ruth Flower, the AAUP’s public-policy and communications director, sees it as “an attempt to substitute an atmosphere of distrust for an atmosphere of trust between faculty and students.” Horowitz blandly refers to this aspect of the campaign as “raising the consciousness” on campus and in state legislatures as to the single-minded, radical indoctrination going on in countless college classrooms.

The often-incendiary speeches he gives for that purpose have riled up budding conservative activists on many campuses. To give them a voice, Horowitz has founded what one opponent calls a “gotcha club,” a CSPC subsidiary called Students for Academic Freedom (SAF), which claims chapters—most of them consisting of “one or two or three members,” according to SAF field director Sara Dogan—at 150 colleges. An SAF handbook explains how to publicize allegations of bias or indoctrination at schools, often through hyperbolic op-eds aimed at administrators. With legislation pend-

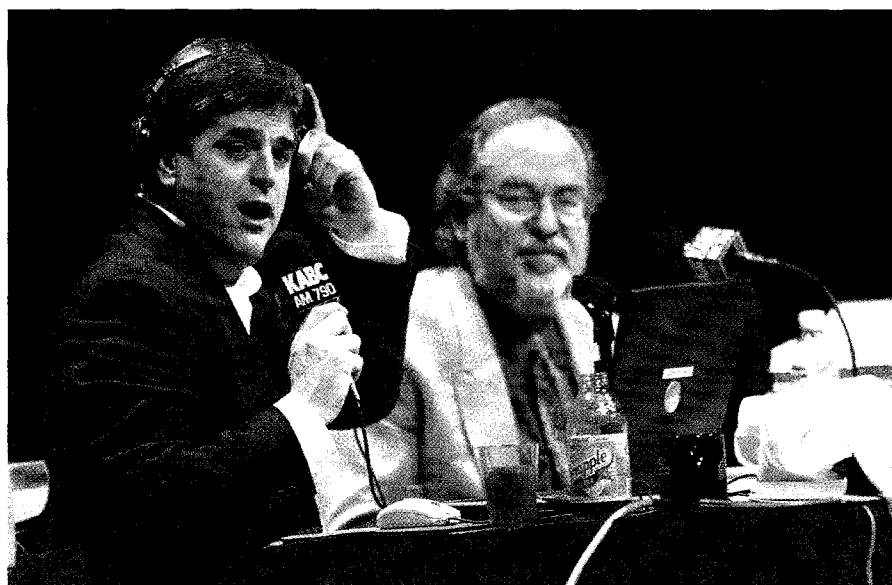
ing and a vicious campus squabble, local media invariably pick up the story.

The model to look at, Horowitz told the *Prospect* in between a press conference in Minnesota and a committee hearing in Ohio, is Colorado. If so, universities have ample reason to fear his campaign: In two short years, the cause of “academic freedom” has brought nothing but chaos to the state.

It began with a meeting of Horowitz, Colorado Governor Bill Owens, and Republican state legislators in June 2003. Horowitz returned in September and October to whip up support for the plan among students; by December, he had

ing charges of bias, and Horowitz kept publishing them online. Suggesting that “some follow-up is timely as the new school year begins,” Andrews held another hearing on September 9, 2004, to air allegations against professors—at least one of which was disproved when the professor, the subject of a complaint a year earlier and death threats since, produced a tape of the lecture in question.

Throughout the tempest, close media coverage has persisted. In the last four months of 2003 alone, before a bill had even been drafted, Horowitz was mentioned in 23 separate *Denver Post* articles. That constant buzz has framed every



Terrible Two: Horowitz (right) with Sean Hannity, March 2003

found enough true believers to stock a packed hearing held by Colorado Senate President John Andrews. The resulting bill passed through a contentious education-committee vote in February 2004, and sponsor Shawn Mitchell seemed to have the votes he needed for passage.

But the bill never became law. After opposing it at every stage, a chastised University of Colorado President Elizabeth Hoffman and other university presidents cut a deal in which Mitchell would drop the bill, the presidents of Colorado’s public universities would endorse and institute its principles, and the Colorado Legislature would keep an eye on the programs’ progress. That deal encouraged conservatives to continue applying pressure: College Republicans kept collect-

ing university-related occurrence, from the state’s near-flatlining of its higher-education budget to the national hysteria over Ward Churchill’s 3-year-old comparison of September 11 victims to Nazis. The ultimate scalp came from Hoffman’s head; she resigned on March 7, four days after warning of a “new McCarthyism” in academia.

Horowitz hasn’t succeeded everywhere. In places where his campaign has been co-opted or preempted, states have dodged these consequences. In Georgia, universities stayed out of the media war and refused to engage Horowitz. Unlike in Colorado, Horowitz didn’t spend weeks soliciting student complaints, instead appearing before a state Senate committee himself—where he “absolutely committed suicide,” according to Hugh Hudson, the

AAUP's Georgia executive director. Listening to Horowitz rail against "Stalinist K-12 teachers" and other fantastical creations, Hudson says, legislators realized that "they weren't dealing with crazy faculty; they were dealing with a crazy man."

As a result, the first Republican majority in the Georgia Senate in 140 years worked closely with academics to produce a bill without the ABOR's most objectionable provisions, such as the restrictive pluralism and a dictum on the "selection of speakers, allocation of funds for speakers programs and other student activities." Since then, the one incident that SAF tried to drum into a scandal received not a single press mention.

Even in North Carolina, site of some of the most prominent academic-freedom tiffs since September 11, a prepared professorate succeeded in derailing Horowitz's campaign. When a local conservative higher-education think tank scheduled Horowitz to speak on October 16, 2004, Cat Warren, director of women's and gender studies at North Carolina State University, contacted the Faculty Senate to quickly draft its own reaffirmation of academic freedom. It quietly passed a resolution and determinedly ignored Horowitz's appearance, as did the local press. The move got the North Carolina schools exactly what Warren sought. "It was a show that nobody came to," she said, "and that's the way we wanted it."

These contrasting results are on the minds of the ABOR's opponents in Ohio, Horowitz's top target. Although the SAF "gotcha club" is operating at full strength, and although state Senator Larry Mumper is determinedly issuing outlandish statements in support of the bill ("If the system were fair," Mumper told *Time* magazine, "Rush Limbaugh and Sean Hannity would be tenured professors somewhere."), the universities' defenders are confident.

In Colorado, says Teresa Fedor, the ranking member of the Ohio Senate Higher Education Committee, "they debated the wrong thing. They focused on the reason why we don't want to do this." Instead, at a hearing on March 8, she hammered Horowitz on his funding and the similarity of his Ohio campaign to his campaigns elsewhere. The AAUP's Flower has taken the same tack. "This is a large

and growing conservative political strategy," she says. "It has almost felt like it's not our place to say that, but we're the ones being attacked."

Whether that strategy will stand up to a full-throttle ABOR campaign remains to be seen. The bill looks likely to go on the shelf for the summer as legislators gear

up for a contentious budget battle, producing a delay that could kill the ABOR's momentum—or could allow the snowballing that caused Colorado's avalanche.

Either way, Fedor says she's ready. "After 18 years of teaching," the Toledo public-school teacher says, "it's easy to pick out a bully." **TAP**

LABOR INTENSE

The frustration and rage that burst forth at the AFL-CIO's Las Vegas meeting portends a dramatic and possibly ugly summer showdown.

BY HAROLD MEYERSON

LAS VEGAS —

I THINK JOHN SWEENEY'S ADMINISTRATION is rhetorically prepared to embrace any and all proposals for change to stay in power," one of American labor's dissident leaders told me in January. "If John Sweeney is re-elected, he's out of gas. Nothing is going to change over there" at the AFL-CIO, and American labor's, headquarters, where Sweeney has been president since 1995 and where he is up for re-election in July.

"This should all be clearer," the leader continued, "by Vegas."

Vegas—the executive-council meeting of the federation held from March 1–3 in Las Vegas—has come and gone, and while some things are clearer, others are murkier, and most everything is grimmer. Las Vegas marked the moment when the federation had to confront the dissidents in its midst—chiefly, the Service Employees International Union (SEIU), the Teamsters, and UNITE HERE (clothing and hotel workers). The dissidents, fed up with the federation's poor growth since Sweeney took over, were rallying behind a Teamster proposal to rebate a sizable chunk of the AFL-CIO's budget to the organizing programs of member unions. They were defeated by a coalition of pro-Sweeney unions, though they did win the votes of unions representing 40 percent of the federation's membership. By a near-identical vote, the pro-Sweeney unions also prevailed on a measure to recommend doubling the size

of the federation's political budget—a proposal that seems to ensure that the AFL-CIO's organizing budget will not substantially increase.

In the turmoil following the vote, three major unions left Las Vegas talking about quitting the AFL-CIO altogether. SEIU President Andy Stern has said since his union's convention last summer that the SEIU would either succeed in reforming the federation or, failing that, "build something stronger." Following the two votes in Vegas, he was joined in his threat to pull out by UNITE HERE President Bruce Raynor, who told the *Prospect* that his union's executive board would meet later in March to look at the disaffiliation option. Sources close to Teamsters President James P. Hoffa said that a Teamster pullout is under consideration as well.

The frustration, and even rage, that burst forth in Vegas—Stern and American Federation of State, County and Municipal Employees (AFSCME) President Gerald McEntee, a Sweeney loyalist, engaged in several public shouting matches—has been building for years. In 1995, Sweeney took the helm of the AFL-CIO with a vow to rebuild the labor movement's declining numbers and sagging political clout. Though Sweeney is universally acknowledged to have greatly improved the federation's political program, the continuing drop in union members—from 14.5 percent of the workforce when Sweeney took office to just 12.5 percent today—has reduced unions' capacity to deliver even

passable contracts for their members, and has eroded the Democrats' ability to carry such onetime union strongholds as Ohio.

And things keep getting worse. The past couple of years alone have seen the debacle of the southern California supermarket strike and the evisceration of the contracts and pensions of airline workers and retirees. Later this year, George W. Bush's appointees to the National Labor Relations Board are expected to strike down "card check," the process through which workers can win union recognition without enduring employer opposition—the primary way unions have been able to organize workers over the past decade.

A number of unions—AFSCME, the SEIU, the Laborers, the Teachers—were still managing to grow recently by massively shifting resources into organizing and by maximizing their political clout to assist organizing campaigns. And with disaster piling upon disaster, some union strategists looked at those successes and began to posit radical remedies. Steve Lerner, the mastermind of the SEIU's Justice for Janitors campaign, argued that nearly 40 of the AFL-CIO's 57 affiliates were too small to commit serious resources to organizing, and that the federation should compel them to merge into roughly 20 large unions. Lerner's proposal, which the SEIU adopted as its own, went nowhere fast; even Laborers President Terence O'Sullivan, a staunch SEIU ally, defends the existence of each of the 15 building trades unions, no matter how small. But there was greater support for another proposal to mandate the rebate of federation dues to those unions with genuine organizing programs. By the time they got to Vegas, the unions seemed locked into a peculiarly fruitless chicken-or-egg debate over whether it was more important to increase funds for organizing (which would produce the new members that would enable labor's allies to win elections) or politics (which would yield the election victories that would create a Congress willing to amend labor laws so that unions could resume wholesale organizing).

For all that, the Teamster dues-rebate proposal around which the dissident unions rallied seemed more symbolic than real, and an inadequate expression

of the deeper discontent fueling the revolt. Leaders on both sides of the question acknowledged that the rebates would augment their own unions' organizing programs by no more than 10 percent. Ultimately, however, the real impact wouldn't be the added funds to the member unions; it would be the radical diminution in the size of the AFL-CIO's budget and staff. And it's that diminution that seems closer to the heart of the dissidents' revolt. "We have to blow up the AFL-CIO bureaucracy," John Wilhelm, who heads the hotel side of UNITE HERE, told a labor forum in Los Angeles in February. "The staff should be cut by at least 50 percent." For Wilhelm and his allies, John Sweeney's AFL-CIO has become the symbol of a slow-footed and unsustainable status quo.

Wilhelm is known for taking a weak Las Vegas local and building it into a powerhouse that represents virtually all major Vegas hotels.

Wilhelm, Raynor, and Stern—each of whom has restructured his own union to facilitate more organizing—decry the lack of urgency they see at the federation and throughout much of the movement generally. At a 1999 AFL-CIO executive-council meeting, Wilhelm recounts, staff economist David Chu made a brilliant presentation projecting the decline of those economic sectors where unions were strong and the rise of sectors where unions were all but nonexistent. "It was devastating," says Wilhelm. "But we don't have discussions at these meetings; we have reports. When he was done, I raised my hand and said, 'Can we spend a few minutes discussing the implications of this?' But we didn't."

For more than a year, labor has been abuzz with the possibility that Wilhelm might challenge Sweeney for re-election at this July's AFL-CIO convention. Sweeney's defenders insist he's as vigorous as he's ever been. His critics note that he has the same senior staff as when he took office a decade ago, and that the people who built the present federation are set in their ways and not likely to funda-

mentally change it. Both sides acknowledge that, under Sweeney, AFL-CIO staff has grown and that some economies need to be made.

Wilhelm, by contrast, has run just about the leanest operation of any major union, directing virtually all resources to organizing and corporate research. A compelling speaker and brilliant organizer, Wilhelm is known for taking a weak Las Vegas local and building it into a powerhouse that represents virtually all major Vegas hotels; he has transformed Vegas into the one American city with a well-paid service sector. His critics argue, however, that by declining to build a national staff (HERE, for instance, had no communications department), he created a union that's had difficulty winning its first nationwide action, the simultaneous con-

tract campaigns in San Francisco, Los Angeles, and Washington, D.C.

A Wilhelm presidency would certainly betoken a fresh burst of activism and experimentation at the federation. In the wake of the Vegas meeting, however, and the defeat of the dissident coalition, it's not at all apparent how Wilhelm could assemble the votes to oust Sweeney. Thus, the palpable discontent of the dissidents continues to grow.

The ferment of recent months has certainly engendered the most far-reaching discussion of labor's mission, structure, and strategy in half a century. It's possible that from that discussion, the movement will gain a new sense of purpose and direction. It's also possible, though, that the movement will go the way of various left sectarian parties of yore—in which members were in fundamental accord on all key issues, but where defeat and marginalization led to infighting and splits. Between reshaping itself to counter the challenges of the time and descending into the righteous fragmentation of Trotskyist sects, American labor is walking one very slippery tightrope. **TAP**

They Make It Up. You Decide.

BY ROBERT S. MCINTYRE

LAST FALL, AFTER MY GROUP PUT OUT A STUDY detailing widespread tax avoidance by America's largest and most profitable corporations, the right-wing Heritage Foundation published a screed attacking us. It was one blatant misstatement after another. I e-mailed

the author, Norbert Michel, to point out his many factual errors, but he declined to correct them. At that point, I was willing to ignore his criticism—after all, why give publicity to patently baseless charges?

This March, however, a shortened version of Michel's claptrap appeared on the Web site of Heritage's ally, the FOX News Channel (which, of course, never asked for a "fair and balanced" reply). We soon started getting negative e-mails. Some were from typical FOX News aficionados—e.g., "Are you people morons?"—but others came from folks who usually find us trustworthy—e.g., "I find [one of Michel's points] troubling." So I've decided to go public with my response.

Michel called his initial salvo "Anything But Avoidance: Citizens for Tax Justice's Blundering Corporate Tax Report." Even the title is a joke. By 2002 and 2003, corporate taxes had fallen to their lowest sustained level as a share of the economy since World War II. If that's not rampant tax avoidance, what would be? Indeed, lobbyists are frequently quoted in the newspapers crowing about how low they've brought corporate tax bills.

When he gets to the details, Michel is no more convincing. He starts by complaining that our study failed to note that tax reporting and shareholder reporting are different. Yipes! That was exactly our point! Due to loopholes, shelters, and so forth, the profits that companies report to their shareholders are much larger than what they report to the Internal Revenue

Service. That's why so many corporations pay little or nothing in income taxes.

Michel also criticized us for an older analysis showing that Enron didn't pay any federal income tax in four out of five years between 1996 and 2000. That revelation led to a congressional inquiry into Enron's tax returns, which confirmed that we were right: Enron paid no tax in four out of the five years. To be sure, as Michel notes, there were minor differences between Enron's financial statements (which we relied on) and its actual tax returns—not shocking for a notoriously crooked company like Enron. But the bottom-line story was the same. (P.S. to Michel: Relying on Enron to make your case is weird.)

In his FOX News Channel piece, Michel charged that our February 2005 study on the avoidance of state corporate income tax failed to alert our readers to the fact that companies report only their total state income-tax payments, without details by state. Jeez Louise! We didn't just make that clear; we strongly recommended that state-by-state tax disclosures be required in the future.

Finally, and perhaps most plausible to the uninitiated, Michel asserted that we'd "estimated" companies' income taxes.

Well, no. We got the tax data straight out of corporate annual reports. This information exists because some dedicated crusaders in the 1970s, led by a group named Tax Analysts and Advocates, persuaded the government to make the companies tell us. Corporate apologists like The Heritage Foundation may wish that corporations don't have to disclose their actual tax payments, but they do.

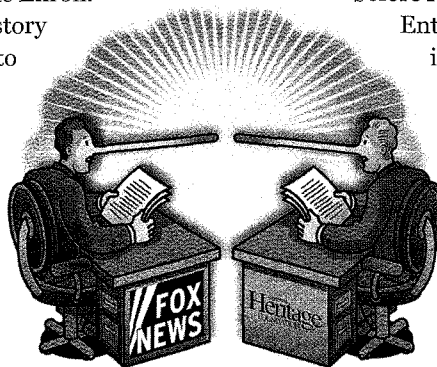
Compiling corporate taxes based on annual reports has a long history. The staff of Congress' Joint Committee on Taxation used the same approach in a number of corporate tax studies it prepared from the mid-'70s to the early '80s at the request of then-Representative Charlie Vanik. Likewise, Tax Analysts published several similar but more detailed reports during the same period. Citizens for Tax Justice picked up the torch starting in 1984, when our first corporate-tax study helped persuade President Ronald Reagan to abandon his earlier loophole-laden tax policies and support the major tax reforms enacted in 1986. We've published nine other corporate-tax reports since then. They've all been heavily scrutinized, and have stood up well.

That's our record. As for Michel, well, before Heritage he worked for Entergy, a profitable Louisiana-based electric utility that not only paid no federal income tax in 2003 but also received a huge tax rebate. (You can look it up on page 67 of Entergy's 2003 report.)

Corresponding with Michel last fall,

I was tempted to paraphrase Mary McCarthy's nasty quip about Lillian Hellman: "Norbert, every word you write is a lie, including 'and' and 'the.'" Trying to be polite, I demurred. But no more. Norbert Michel and your Heritage pals, consider it said. **TAP**

Robert S. McIntyre is the director of Citizens for Tax Justice.



The Front

*Hard-liners want evidence that Iran is up to no good.
And they're turning to strange sources to get it.*

BY LAURA ROZEN AND JEET HEER

FOR IRANIANS IN EXILE—AND THE AMERICANS who become embroiled in their intrigues—Paris has long been the city of shadows. This is where the Ayatollah Khomeini awaited the ominous victory of his Islamic revolution; and where the deposed ministers and brutal spies from the late shah's government washed up in the 1979 revolution's bloody aftermath.

For well over two decades now, dreamers and schemers who hope to overthrow the mullahs have been lurking along the banks of the Seine, passing secrets and lies through proxies, back channels, and middlemen. Among the Persian plotters marooned in the French capital is a former minister of commerce in the shah's government, who has recently acquired the code name of "Ali."

To the influential U.S. congressman who bestowed that somewhat unoriginal alias on him, the elderly bureaucrat is actually an oracle who passes along invaluable intelligence about terrorist conspiracies emanating from Tehran, and an important asset who should be cultivated by the CIA.

Yet "Ali" is actually a cipher for Manucher Ghorbanifar, the notorious Iranian arms dealer and accused intelligence fabricator—and the potential instrument of another potentially dangerous manipulation of American policy in the Persian Gulf region.

"Ali's" fervent advocate on Capitol Hill is Representative Curt Weldon, the conservative Pennsylvania Republican who serves as vice chair of the House Armed Services Committee. The nine-term congressman has long nurtured a penchant for the dramatic. With a degree in Russian studies from West Chester University in his home state, Weldon has often displayed his language skills on official trips to Moscow to discuss Russia's "loose nukes" and the urgent need for a missile-defense system. Since the end of the Cold War, he has carved out a niche as an

expert on such truly frightening topics as nuclear proliferation and high-tech terrorism.

As chairman of the House Subcommittee on Military Research and Development, Weldon has held numerous hearings on the threat of Russian suitcase bombs being infiltrated into American cities and similar cataclysmic scenarios. He often shows up in the press as a Cassandra warning against elaborate foreign plots, from terrorist hackers destroying the Pentagon's Internet capacity to North Korean nuclear weapons exploding in the at-

mosphere of the United States, creating an electromagnetic pulse that would cripple the nation's electrical utilities and electronic systems. He possesses a genuine gift for elaborating these nightmare visions, which he may have sharpened while reading the works of Tom Clancy. Indeed, he sometimes cites catastrophic attack scenarios devised by the suspense novelist, an acquaintance of his who has occasionally helped to raise money for Pennsylvania Republicans.

Unlike the stock characters in Clancy's novels, however, the source Weldon calls "Ali" is a real person; in fact, he's a former Iranian government official. And so convinced is Weldon of the man's veracity that he has not only tried to persuade the CIA to pay Ali, he is also shopping a book

based on the startling information that the Iranian exile has passed along to him. According to a report last December in *The New York Sun*, Weldon hopes to soon publish an exposé of Iranian terrorist conspiracies, including an alleged 2003 plot to crash a plane into New Hampshire's Seabrook nuclear-power plant that the congressman claims was later confirmed in the press.

"Ali" first mentioned the Iranian threat to the Seabrook reactor at a Paris meeting with Weldon on May 17, 2003, according to the *Sun* article. Three months later, on August 22, *The Toronto Star* reported the arrest of 19 men in Canada for immigration violations; mostly Pakistanis (and one Indian), they were



The Gentleman from Tehran?: GOPer Curt Weldon

suspected of being involved in a terrorist conspiracy. One of the men in the suspected cell was reported to have been taking flight lessons, and to have flown an airplane directly over an Ontario nuclear-power plant, according to the *Star*.

But as things turned out, the Canadian terrorism case is considerably more ambiguous than Weldon's breathless version. Ultimately the Canadian government didn't pursue terrorism charges against the 19 men, but deported them for holding improper visas. Following up on the case in late November 2003, *The Toronto Star* reported that "what started out as a sensational terrorism case has devolved into one of simple immigration fraud, with officials now backing away from their initial claim that the men posed a threat to national security." The case is still a subject of intense controversy in Canada, with human-rights groups charging that the government trumped up the terrorism accusations based on flimsy evidence.

Unimpressed by such scary but unsubstantiated stories, the CIA rejected Weldon's entreaties to engage with "Ali." Frustrated by the agency's negative decision, the congressman complained in a letter to the chair of the Senate Select Committee on Intelligence, with an attached memo titled "Ali: A Credible Source."

Responding to inquiries from the *Prospect*, Weldon's office confirmed that the representative has met twice with "Ali" in Paris, and maintained an active correspondence with him. Their meetings were arranged by Peter Pry, a former CIA strategic-weapons analyst and House Armed Services Committee staffer, who advises the congressman on nuclear-proliferation issues. Eventually Weldon tried to interest the CIA in "Ali," but the agency was wary because the informant won't elaborate on his sources in Iran. Frustrated by what he sees as a failure of the intelligence community, Weldon wants to take the "Ali" story to the public. His press aides say that former CIA Director James Woolsey—a neoconservative stalwart who endorsed the

Robert McFarlane, the national-security adviser who approved the Iran-Contra arms trades, once described Ghorbanifar as "one of the most despicable characters I have ever met."

LIKE GHORBANIFAR, WHO MAINTAINS A FAMILY RESIDENCE in Nice and frequents certain Paris hotels, Mahdavi has lived in France ever since he fled Iran. He currently occupies a Paris apartment with his wife, who is suffering from cancer. Not long ago he was stricken by a heart attack, and is regarded with sympathy by many in the local Iranian exile community, who consider him an honorable figure. Reached on the telephone in January, he discussed his various dealings with Weldon and Ghorbanifar.

"Maybe I met with Weldon one time," he recalled. Told that Weldon plans to publish a book based on his conversations with "Ali," Mahdavi demurs. "I will deny any quote," he says. "I gave information to Weldon from Ghorbanifar." He insists that, because he cannot contact anyone in his homeland, he could not have been the original source for the information that the arms merchant asked him to pass to the congressman. "I am very well-known in Iran," he says. "Everyone knows me. I cannot call there."

Mahdavi denied that he has received any money from the U.S. government or any U.S. official. "I am 74 years old," he says. "If I have got one dollar from one American, I will give you a million. I never got any money from the Americans, and I don't want any American money." He sounded more circumspect about his relationship with Ghorbanifar, though. "I know Ghorbanifar and I am close with him, but I don't want to be confused with him."

Another former minister in the shah's government, who also lives in Paris, says that Mahdavi and Ghorbanifar have maintained long-standing commercial and personal connections. According to Akbar Etemad, who served as head of the Atomic Energy Organization in the Pahlavi regime, the pair went into

business together after the 1979 revolution, working mostly in Arab countries. Etemad also confirmed that Mahdavi has been passing along dubious "intelligence" information, supposedly from inside Iran.

"Mahdavi says that he has this network in Iran that he gets information from," says Etemad. "Each time, he says his information will come true in two months' time."

But all that information is fake. Ghorbanifar and Mahdavi work very closely together. Ghorbanifar is unreliable. In that sense, he might be dangerous."

The CIA shares that harsh assessment of Ghorbanifar. If the intelligence agency had any clue to Mahdavi's association with Ghorbanifar, it is scarcely surprising that its officials rebuffed Weldon's overtures on behalf of "Ali." Many years ago, the CIA issued an unusual "burn notice" on Ghorbanifar, instructing its personnel not to deal with him and warning that he was known to spread false information to advance his own interests.

Indeed, to CIA analysts still smarting from the humiliations of the Iraqi intelligence fiasco, the reappearance of Ghorbanifar behind "Ali" must have set off loud alarms. The Iranian arms dealer not only symbolizes one of the most disgraceful episodes in the his-

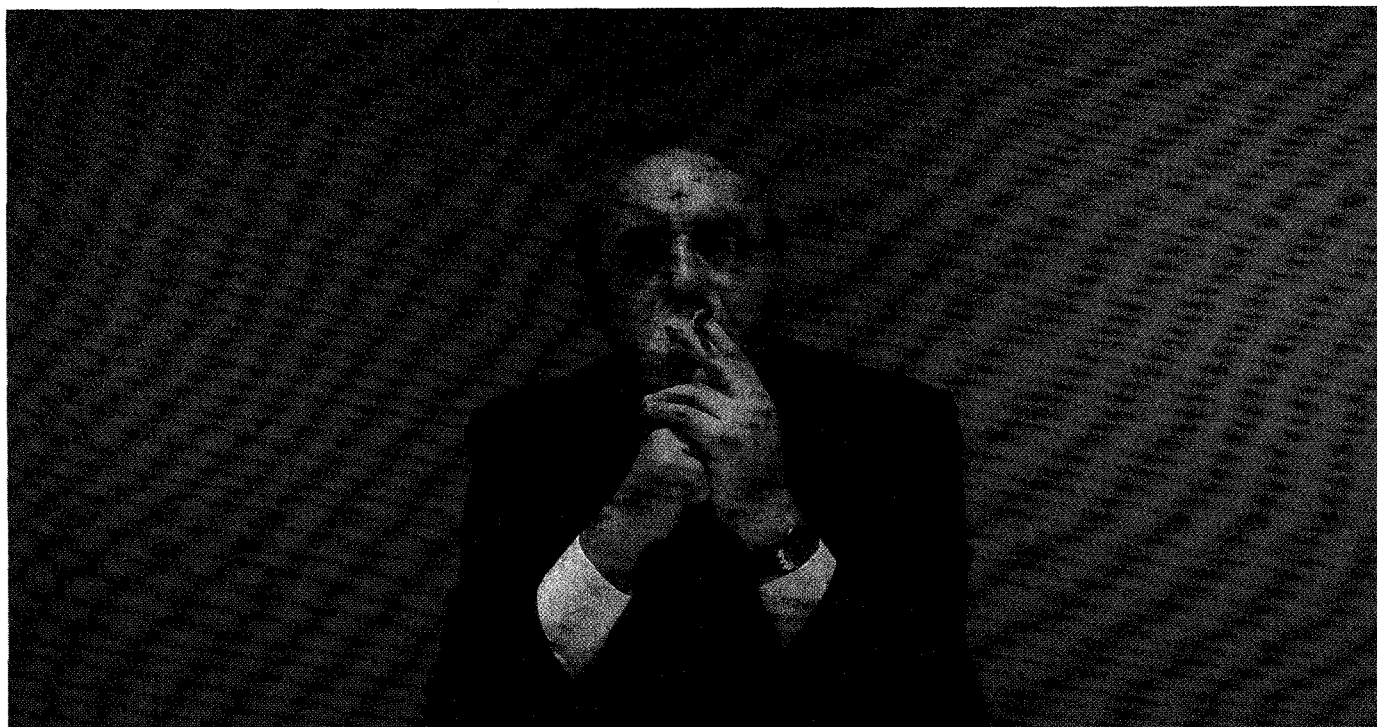
Told that Congressman Weldon plans to publish a book based on his conversations with "Ali,"

Mahdavi demurs. "I will deny any quote," he says.

theory that Iraqi agents were probably behind the September 11 attacks—has read Weldon's new book manuscript and was most impressed by it.

The *Prospect* has learned that the true identity of "Ali" is Feridoun Mahdavi, formerly the shah's minister of commerce and, more importantly, the close friend and business partner of Ghorbanifar, legendary arms dealer, infamous intelligence fabricator, and central figure in the Iran-Contra scandal that almost brought down the Reagan administration. It was "Gorba," as he was known back then to Lieutenant Colonel Oliver North, the rogue National Security Council officer, who lured the Reagan administration into secretly selling U.S. missiles to the Islamic regime in exchange for the release of Western hostages.

"I knew him to be a liar," North eventually acknowledged.



Smoke and Mirrors: Manucher Ghorbanifar strikes many as the Ahmad Chalabi of Iran.

tory of American covert operations, which involved selling sophisticated weapons to a terrorist regime in exchange for hostages; with his neoconservative sponsors and opportunistic methods, Ghorbanifar very much resembles Ahmad Chalabi, another slick operator who eventually came to be viewed with the deepest suspicion—but not before his faulty “intelligence” about Iraq’s weapons of mass destruction helped to draw America into war.

AMONG THOSE WHO HAVE COMPARED GHORBANIFAR TO Chalabi is Michael Ledeen, the neoconservative writer and historian who has befriended both men. As the “freedom scholar” at the American Enterprise Institute and a contributing editor to the *National Review*, he now spends much of his time urging the Bush administration to support efforts by Iranian dissidents to topple their country’s theocratic rulers. Coming from Ledeen—who also played a central role in the Iran-Contra affair alongside Ghorbanifar, and who still defends Chalabi—the comparison of the shadowy pair is meant as a compliment. He says that their poor reputation at the CIA and the State Department simply proves the inflexibility of the American bureaucrats.

“They never liked Ghorbanifar, [which was] similar to them not liking lots of other people, including Chalabi,” insisted Ledeen in a recent interview with the *Prospect*. “It’s because [Chalabi and Ghorbanifar] want to work with the American government and not for it. The CIA and State Department have a difficult time with such people. But Chalabi is first and foremost an Iraqi; Ghorbanifar is an Iranian. There are times when their interests coincide with those of the U.S. government. But they do not wish to be agents of the American government. They are very happy to help when interests coincide.”

Considering that they don’t wish to serve as “agents” of the American government, both Ghorbanifar and Chalabi have ea-

gerly accepted American money and weapons. In any case, Ledeen’s fine distinctions are unlikely to assuage the worries of anyone disturbed by what Chalabi has done to U.S. policy in Iraq—or what Ghorbanifar might do to U.S. policy in Iran. Indeed, the revived debate over Ghorbanifar’s character and competence is particularly pressing now because neoconservatives such as Ledeen, who listen closely to him, have gained influence over the Bush administration’s Iran policy.

(While the Bush administration’s decision in early March to go along with European allies in offering Iran economic incentives to abandon its nuclear program was hailed as a decisive shift toward a diplomatic solution [and a setback for the neoconservatives], the second part of the U.S.–European agreement is equally important. The Europeans agreed that should Iran fail to abide by international nuclear agreements, they will support the United States in referring Tehran to the United Nations Security Council for noncompliance with the Nuclear Nonproliferation Treaty. That could help the United States to isolate Iran at the United Nations, reprising the prelude to the Iraq invasion. Given the pending nomination of Undersecretary of State [and über-hawk] John Bolton as Washington’s new UN ambassador, the administration is clearly prepared to pursue a more aggressive, and perhaps unilateral, policy toward Iran.)

Alone among those involved in the Iran-Contra scandal, Ledeen has never lost faith in Ghorbanifar. In a December 1985 meeting with the CIA, he described the Iranian as a “wonderful man ... almost too good to be true.” He still says Ghorbanifar “is my best source of information on Iran for 20 years. And the CIA made a mistake about him and they don’t know how to get out of it. Once a burn notice has been issued on somebody, they are never going to change it. I think the CIA is a hopeless, stupid organization.”

Ledeen also insists that “the information Ghorbanifar provided during the Iran-Contra period was invaluable. Ghorbanifar was the first person I ever met who knew what Hezbollah really was He was the first person who was able to identify factions within the Iranian regime about which we know nothing. His information has been spot-on all along.”

IT ISN'T EASY TO MEASURE THE EXTENT OF GHORBANIFAR'S renewed influence on American policy. Even to his cohorts among the Iranian exile community in Paris, he remains mysterious. Almost everywhere his name is mentioned, the doubts about his integrity persist. A former intelligence officer serving the shah's military chief of staff, the 59-year-old Ghorbanifar has used his connections with members of Iran's current theocratic regime to sell the promise of regime change to Washington contacts for more than two decades.

To his current American contacts, he markets himself much as he did during the Iran-Contra era—as the indispensable purveyor of intelligence information about political machinations inside the Islamic Republic and the Tehran regime's sponsorship of nefarious terrorist plots. He is frequently traveling, completing deals recently in such places as Spain and Iraq; his trading has covered commodities from petroleum to peas to Persian carpets, from small arms to guided missiles.

His ancestral family home is in the Iranian city of Isfahan. In an interview last summer, he said that he had earned a doctorate in history by the time he was 23 years old. During the twilight years of the shah's government, Ghorbanifar managed

Star Line, a shipping company whose ownership was partly taken over by Israeli businessmen in 1980. While he is often alleged to have had ties with SAVAK, the shah's brutal secret police, he and others say that he worked for the intelligence unit of the Iranian armed forces.

After the revolution that overthrew the shah in 1979, but before the theocratic rule of the mullahs solidified, Ghorbanifar was embroiled in clandestine struggles for power. Two of his Paris associates recall that he and other members of his family participated in a July 1980 conspiracy against Khomeini. The “Nojeh” plot was a failed coup attempt led by Iranian air-force officers. When it collapsed, Ghorbanifar's sister was among those sentenced to death by the Islamic regime.

Seeking to save her life, Ghorbanifar, according to one of his friends, found an intermediary in Dubai who made a covert arrangement with the Iranian authorities. Ghorbanifar paid the

intermediary a million francs, and the Iranians commuted his sister's death sentence to five years in prison. That deal was the beginning of his connections with the new regime in Tehran.

By then the Shia revolutionaries were at war with Saddam Hussein's Iraq, and apparently thought they could use Ghorbanifar's shipping experience—and his Israeli connections—to help them procure American weapons and spare parts for systems the shah had purchased from the United States.

To obtain weapons for Iran, Ghorbanifar aggressively courted Israeli and American officials. At first he hooked up with the CIA as an informant, but the agency soon decided that he was a fabricator and issued the burn notice, discouraging any contact with him. In 1984, when he tried to open another line of communication to the State Department, his advances were again rebuffed.

His big break came later that year, when he met the Saudi billionaire arms dealer Adnan Khashoggi. “The way that Ghorbanifar first came to the attention of the Israelis was because he was introduced to Khashoggi as one of those who knew the people who controlled these very expensive, duty-free Persian carpets in Hamburg,” recalls Ledeen. “These were very expensive carpets, some used to belong to the shah, and Khashoggi was interested in buying those carpets. Ghorbanifar was helping him, and they became friends.”

Through Khashoggi, Ghorbanifar was able to link up with Israeli policy-makers and intelligence officials, who in turn introduced the arms dealer to Ledeen, then working as a consultant to Ronald Reagan's national-security adviser, Robert McFarlane. And through Ledeen, Ghorbanifar at last found

receptive ears for the deal he had long been trying to broker: The United States and Israel would supply sophisticated weapons to Iran; in return, Ghorbanifar convinced McFarlane, “moderate” elements in Tehran would be empowered and enabled to release U.S. hostages held by Shia radicals in Lebanon.

“And then as usual, the Americans betray their friends,” says an old Ghorbanifar friend. As the Iran-Contra machinations proceeded, the Reagan White House opened a “second channel” to the Iranians that bypassed Gorba. His friend recalls that this decision caused “a very hostile relationship between Ghorbanifar and the Americans. After that, they started to give bad information about him.” If Ghorbanifar felt betrayed by the Reagan administration, the feeling was certainly mutual.

Following the 9-11 terrorist attacks, Ghorbanifar saw an opportunity to reopen his connections with the United States government, just as he had perceived such an opportunity during



Smoked Out: Michael Ledeen is a “Gorba” defender.

the hostage crises of the Reagan era. In the months after 9-11, the Bush administration was desperate for actionable intelligence on terrorist threats and state sponsorship of terrorist groups by hostile governments in Iran, Iraq, and Afghanistan. Around that time, Ghorbanifar called his old friend Ledeen, who no longer consults officially for the U.S. government but is very well-connected in both the White House and the Pentagon. He convinced Ledeen that he could produce Iranian informants with crucial intelligence about an alleged Tehran-backed terrorist threat to U.S. troops in Afghanistan.

"Ghorbanifar called me, and at first I said, 'Are you insane?'" Ledeen later told *The New York Times*. "But he said he could arrange meetings with Iranians [who had] current information about what Iran was doing. It wasn't information coming from him. He was just arranging the meetings."

As first reported in *Newsday*, Ghorbanifar secretly met with officials from the Pentagon's Office of Special Plans in Rome in December 2001. The main topic was the supposed threat to U.S. forces in Afghanistan, but the options for regime change in Iran were also discussed.

How the Bush administration came to authorize the initial December 2001 meeting in Rome is a curious tale that suggests how far Ghorbanifar can reach. The meeting included two Farsi-speaking Pentagon officials, Defense Intelligence Agency Iran expert Larry Franklin and Harold Rhode, a polyglot Middle East specialist, both then working for Undersecretary of Defense Douglas Feith.

In a recent letter to the *Washington Monthly*, Feith explained what he called "the real story" behind the Rome meeting. "The Department of Defense learned from the White House that there were some Iranians who had information about terrorist threats to U.S. forces in Afghanistan and who wanted to defect," he said. "(It turned out that the Iranians did not want to defect, but they did want to share information directly with the U.S. government.) The Iranians did not, however, want to deal with the CIA. [The Defense Department] was asked to handle the contact."

Feith concluded, "After the December 2001 meeting, it was decided not to pursue the matter further. One factor in that decision was the involvement of Ghorbanifar, whose participation in the Rome meeting surprised the senior officials at [the Defense Department] who authorized the trip."

That unusual letter from Feith, who recently resigned and will leave his post this summer, indicates that the White House had learned of the talkative Iranians from a source outside the usual intelligence or diplomatic channels at the CIA and the State Department. That means that Ghorbanifar may have a contact who is passing his messages directly to the White House. And according to Feith, that source didn't warn the Pentagon that Ghorbanifar would be present at the Rome meeting. One person familiar with the Rome meeting, who asked not to be named, expressed skepticism that the Pentagon was surprised by Ghorbanifar's presence there.

An official from SISMI, the Italian military intelligence agency, was also present. In an interview with Italy's *La Repubblica* newspaper, SISMI Director Niccolò Pollari confirmed that he was asked to facilitate the Rome meeting, and that he sent an aide.

(The *Washington Monthly* first reported SISMI's involvement in the encounter between Ghorbanifar and the Pentagon.) Pollari didn't explain why the U.S. Defense Department would interview Iranian informants in the presence of a foreign military intelligence service, without the knowledge of the U.S. embassy in Rome and without any assistance from the CIA, which would normally assume responsibility for such contacts. In his letter, Feith asserts that the White House understood the would-be defectors refused to deal with the CIA, which was why the Pentagon took over.

In June 2003, Rhode met with Ghorbanifar once more, this time in Paris. The publicity about the meetings, combined with opposition from the State Department and the CIA, reportedly led to the shutdown of the arms dealer's back channel the following autumn. Ghorbanifar's contacts with the U.S. government remained dormant. But by then "Ali" had commenced his discussions with Congressman Weldon about Tehran's terrorist plots. Cut off once more by the Pentagon and the CIA, Ghorbanifar had already opened a second channel via the unwitting Weldon.

THE MOST STRIKING ASPECT OF WELDON'S SPONSORSHIP of "Ali" is how precisely it follows the Ghorbanifar pattern of making a connection by telling a prospective client what he wants to hear. Weldon has a long history of being fascinated by fantastic foreign plots. Using "Ali" as an intermediary, Ghorbanifar was able to feed that appetite, to penetrate Republican circles in Washington again—and to stoke neoconservative hostility toward the Iranian regime.

Whatever political aims Ghorbanifar may be pursuing remain as murky as ever. But given the controversies that have surrounded him for more than two decades, and the messy aftermath of the Iran-Contra affair, it is remarkable that he has once again surfaced as a middleman and intelligence source. Yet the return of Ghorbanifar is merely one symptom of a much graver problem: the paucity of reliable U.S. intelligence about people and events in Iran. Lacking well-placed sources there, the U.S. government finds itself listening again to someone with a track record of supplying false information and playing both sides.

To see through the complex web woven by Ghorbanifar, it may help to remember his friend Ledeen's praise of the arms dealer as "almost too good to be true." That description is double-edged, of course, because someone who tells us exactly what we want to hear *is* usually too good to be true. From Oliver North to Curt Weldon, Ghorbanifar has an uncanny ability to exploit the vulnerability of Americans trying to glean critical information about Iran.

Ghorbanifar's handling of his cats-paw "Ali" offers a glimpse of the dark side of this master manipulator, who willingly uses a frail and ailing associate as a front for his operations. Perhaps the last word on Ghorbanifar should be left to one of his countrymen in Paris. "The culture in Iran is to hide the thing that you mean," the man explained. "There is a proverb: 'You have a tongue to hide your idea.'" **TAP**

Laura Rozen reports on foreign affairs and national-security issues from Washington, D.C. Jeet Heer, who is based in Toronto, frequently writes for The Boston Globe and the National Post.

The Women's View

*The pro-choice movement has seen moral complexity as its enemy.
But moral complexity is exactly why choice must be saved.*

BY JODI ENDA

KIMBERLY WAS AT HOME WITH HER TWO SLEEPING children when her estranged husband, high on methamphetamines and angry about their impending divorce, showed up at her door last September.

"He came in and said he wanted to talk about child-support payments. We were fighting about everything. The divorce was not final," Kimberly said. "He raped me."

Kimberly didn't call the police because she wanted to protect her children from further trauma. Their lives had been upended during the previous two and a half years, ever since she was pregnant with her younger son and discovered that her husband was an addict. Since then, he'd quit his job, and she'd worked two; he put \$50,000 on their credit cards at casinos and strip clubs; he threatened to kill her when she moved out with the boys; and he stole \$700 from her boss, costing her a part-time bookkeeping job. After taking medical leave because she feared a nervous breakdown, Kimberly was fired from her primary job in the business department of a Phoenix TV station.

Kimberly, then 33, didn't tell anyone about the rape, not even her closest friends. "I had no strength," she explained. Two weeks later, she realized she was pregnant. She didn't tell anyone about that, either.

She wanted an abortion, but she couldn't afford one. "I didn't know what to do," she said. "There was no way I could have had that baby. My ex would have killed me. That was never an option." Adoption wasn't, either. Kimberly couldn't bring herself to let her pregnancy show in Phoenix, and she couldn't leave town for several months the way women used to when they got pregnant out of wedlock. "I couldn't take my kids, and I couldn't leave them with my ex. I couldn't bring another child into this world. It came out of this ...," she said, swallowing the word "rape" as she uttered it.

So, Kimberly thought, she'd wait until she could scrape together enough money for an abortion. She had no idea how difficult that would be. "I didn't realize that the price was going up and up and up each week [as] I was going further along."

Desperate and without medical care, Kimberly went to the state for help. She qualified for Medicaid, but was told it

wouldn't cover her abortion. She found a Web site that showed her how to apply to nonprofit groups for money to pay for an abortion. The Minneapolis-based Hersey Abortion Assistance Fund offered her \$100, not nearly enough. Determined not to let the fetus reach the point of viability (generally interpreted to be 24 weeks gestation in Arizona), after which the state prohibits most abortions, Kimberly applied to dozens of funds around the country and sold her TV. By the end of January, she'd pulled together \$900, the amount one clinic had told her was enough to cover her second-trimester abortion. She made an appointment for the two-day procedure.

When she went in the first day, the sonogram showed that she was nearly 20 weeks into her pregnancy. The abortion would cost \$1,000. She didn't have it. The doctor said Kimberly would have to get the money by the next morning or postpone the procedure another week, which would drive up the price again. She sat in a park and cried.

By the next morning, Kimberly had managed to get another \$100 from an abortion fund, but the delay made her miss the training session for her brand-new state job. She lost the job.

As I listened to Kimberly pour out her story just three weeks after her abortion, I was struck not only by the tragedy of her situation, the rawness of her emotions, but by what it meant to the larger abortion debate. Here was a mother who was struggling to take care of a 5-year-old and a 2-year-old in the face of incredible psychological and financial hardships, a woman striving to make a *moral* decision for her family. She did not want an abortion. She didn't even want the sex that led to her pregnancy. But having had the latter forced on her, she felt the former was the best response.

Decades ago, supporters of abortion rights used women like Kimberly to illustrate a need and a danger. The male doctors and clergy members who were at the forefront of the modern abortion-rights movement argued that the procedure was necessary to protect women from death or injury brought on by botched, illegal abortions. Feminists asserted that women must have control over their own lives.

The movement won a tremendous victory on January 22, 1973, when the Supreme Court handed down *Roe v. Wade* and

legalized abortion. Since then, abortion opponents have worked methodically, state by state, to chip away at what they saw as nearly unfettered access to abortion. Now, that access is very fettered indeed. State legislatures have passed more than 400 laws limiting access to abortion in the past decade alone. According to the Alan Guttmacher Institute, a pro-choice think tank whose statistics are cited by both sides, abortion is available in only 13 percent of U.S. counties.

Nationally, President George W. Bush in 2003 signed the first federal law—since blocked by three courts in rulings the administration is appealing—that would criminalize one or more abortion procedures. And in his second term, this most anti-abortion of presidents is almost certain to appoint some justices to the Supreme Court, potentially enough to reverse or further weaken *Roe*. (Pro-choice leaders estimate that if *Roe* were overturned, 30 states would immediately outlaw abortion except in extreme circumstances.) Meanwhile, the Republican Congress is bent on passing additional legislation to restrict access to abortion or, like the Partial-Birth Abortion Ban Act of 2003, to reduce public support for it simply by making people queasy.

Abortion opponents have engaged in a brilliant public-relations campaign designed to manipulate the emotions of a nation that overwhelmingly supports abortion rights, but with some limits. They've used issues like "partial-birth abortion," a term they made up, to play to a general uneasiness, a discomfort felt not only by abortion opponents but by some pro-choicers as well. They've made us nervous about the "unborn," and in doing so obscured the concern we used to feel for women in dire situations.

While the right has appealed to our sentiments, the left has relied on dry legal arguments, abandoning the 1960s-style speak-outs that so successfully demonstrated why women like Kimberly need choices. But today those sorts of arguments are critical: We've just moved into an era when every woman of childbearing age has always had the right to choose abortion. Young women don't remember the hangers and back alleys; they didn't live with the fear. And now, when a right they've taken for granted is in jeopardy, virtually the only people speaking out about their choice to termi-

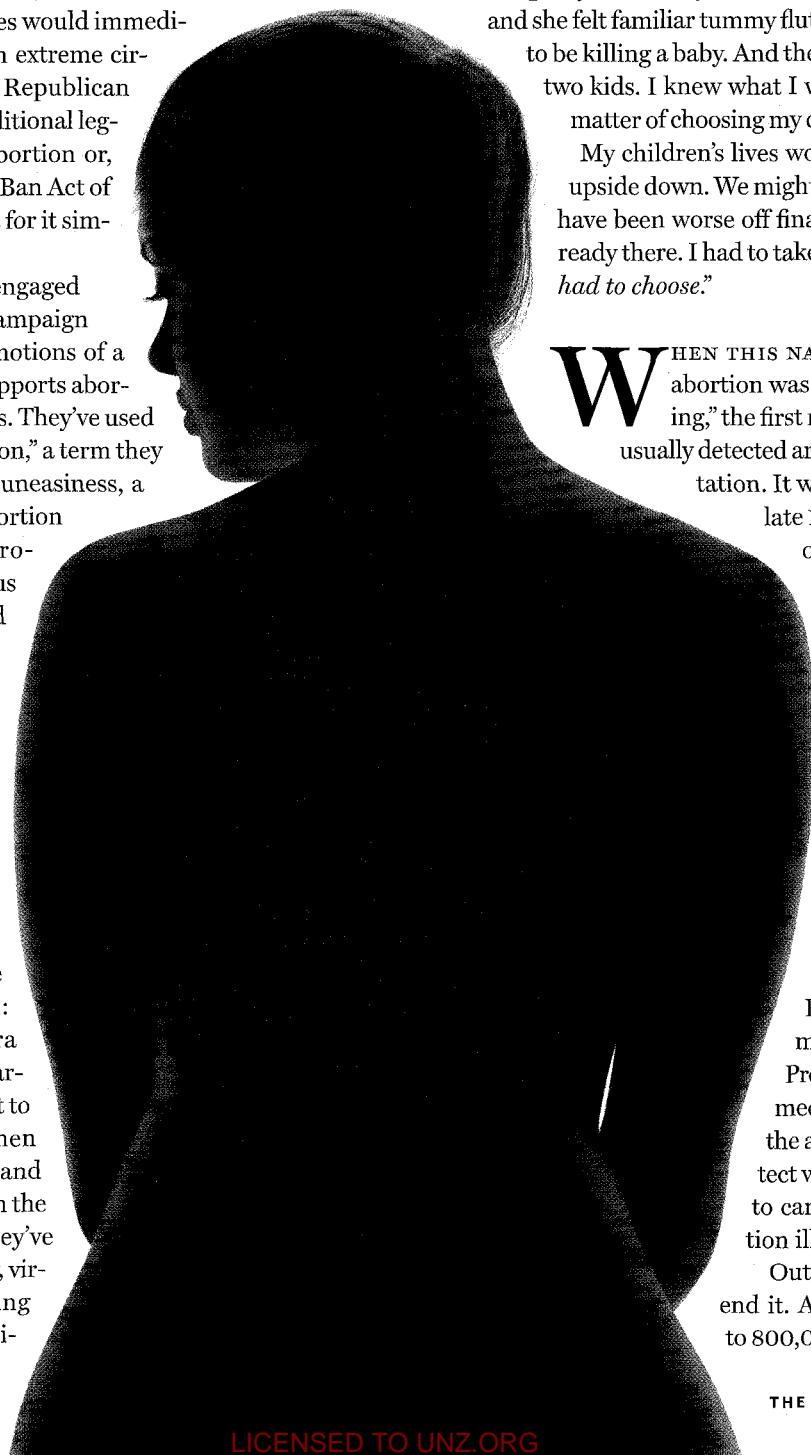
nate a pregnancy are those who say they regret having made it.

Perhaps if more people heard Kimberly's story they would understand how difficult choosing abortion can be. They would see that most women who have abortions are responsible, often poor, adults, not the reckless teens that the right often claims use abortion as birth control. In fact, 61 percent of women who have abortions are mothers, 57 percent are poor, and 78 percent report a religious affiliation, according to the Guttmacher Institute. Some can afford the \$400-and-up price tag, but many can't. Often they don't know where to turn for help. Many have to travel out of town to find a clinic, to spend a night or more in hotels or cars, to miss work, to parcel out their kids. Many agonize between their own lives and children and that of a potential baby that they never intended to create.

"I felt guilty," Kimberly said, more so as the fetus grew and she felt familiar tummy flutters. "I felt I was going to be killing a baby. And there *was* a baby. ... I had two kids. I knew what I was feeling. ... It was a matter of choosing my children or this person. My children's lives would have been turned upside down. We might not be safe; we would have been worse off financially. They were already there. I had to take care of them ... *I just had to choose.*"

WHEN THIS NATION WAS FOUNDED, abortion was legal before "quickening," the first movement of the fetus, usually detected around four months gestation. It wasn't until the mid- to late 19th century—because of doctors' concerns for their own profession and for the safety of women, not for the well-being of fetuses—that abortion was outlawed one state at a time. "Women did terminate pregnancies in unsafe conditions, done often by non-professionally trained practitioners," said Kate Michelman, former president of NARAL Pro-Choice America. "The medical profession, under the aegis of wanting to protect women's health, started to campaign to make abortion illegal."

Outlawing abortion didn't end it. An estimated 700,000 to 800,000 women underwent



illegal abortions each year in the 1950s and '60s. After untold numbers of women died or were maimed through the process, doctors and clergymen, mostly, who had seen the awful effects of bungled abortions in the mid-1900s, sought to reverse those laws. "It wasn't framed in terms of women's rights. It was the horrors that women were faced with," said Laura Kaplan, who wrote a book about the underground abortion movement she worked for in the early '70s in Chicago.

Clergymen and others set up referral services for women seeking abortions, Kaplan wrote in *The Story of Jane: The Legendary Underground Feminist Abortion Service*. In 1966, Lawrence Lader, an author and co-founder of the National Association for Repeal of Abortion Laws (now NARAL Pro-Choice America) announced he would begin making referrals in New York. The following year, the Reverend Howard Moody, a Baptist minister, ran the Clergy Consultation Service on Abortion out of a New York church. The Reverend Harris Wil-

In 1969, the Redstockings disrupted a New York legislative hearing on abortion because the panel of "expert" witnesses had 13 men and one nun.

son, a Baptist and dean of the Rockefeller Chapel at the University of Chicago, set up another referral service. Those two ministers then drafted a resolution, passed at the American Baptist Convention in 1968, "calling on ministers to counsel and assist women with family planning and abortion," Kaplan wrote. "As a minister," Wilson wrote in a letter to a nun, "I must consider the human trauma of a live, breathing woman and her interests over against the interests, whatever they might be, of a fertilized ovum."

The movement experienced a public-relations bonanza in 1962. Sherri Finkbine, a mother of four in Phoenix and host of the *Romper Room* children's show, sought an abortion after reading that the tranquilizer she had been taking, thalidomide, was proven to cause severe birth defects. (The drug was ultimately banned worldwide after tens of thousands of babies were born with deformities, including short, flipper-like arms and malformed legs.) A local hospital scheduled the procedure, then canceled it after *The Arizona Republic* wrote about Finkbine's quest, without naming her. Following a legal battle that made their identities public, Finkbine and her husband, Bob, fled to Sweden, where they were attacked as killers by Vatican Radio. She underwent the procedure nonetheless, and her doctors told her the fetus had been horribly deformed.

A Gallup Poll taken that year showed that the majority of Americans supported Finkbine, and her case was a turning point in the abortion wars. Before Finkbine, wrote abortion opponent Guy M. Condon in 1991 in *Christianity Today*, "abortion had been almost universally seen as an act that killed a child and was thus criminal. Afterward, the law prohibiting abortion was perceived as an injustice that denied help to desperate women."

Three years later, an outbreak of German measles, also known to cause serious birth defects, prompted a surge in women seeking abortions and another burst of support for legalization.

It took two more years before state laws began to catch up with public opinion. Between 1967 and 1972, 13 states adopted reforms, mostly permitting abortion if the life or health (physical or mental) of a pregnant woman was endangered, if she were the victim of rape or incest, or if the fetus had major physical or mental defects.

Feminists took the argument one step further. "Women's liberation reformulated the issue from 'What extenuating circumstances might justify abortion?' to 'What circumstances could possibly justify forcing a woman to bear a child against her will?'" said Ellen Willis, who joined New York Radical Women, the state's first women's liberation group, in 1968.

They used the stories of women's suffering to make their case. In 1969, Willis and others who soon would form the radical fem-

inist group Redstockings disrupted a New York legislative hearing on a proposal to reform the state's abortion ban because the panel of "expert" witnesses consisted of 13 men and a nun. "We argued that women were the experts who ought to be heard," Willis, now a New York University journalism professor, wrote me in an e-mail. "Redstockings followed up with our own public

'hearing' in which women testified about their illegal abortions—to my knowledge the first women to do so in public." That gathering, at a church in Greenwich Village, spurred other women to talk openly about their abortions as well.

AFTER NEW YORK LEGALIZED ABORTION IN 1970, AND again after the Supreme Court handed down *Roe* three years later, the anti-abortion movement, initially led by the Catholic hierarchy, stepped up its crusade. It took its battle to clinics—and to pregnant women themselves. Kim Gandy, president of the National Organization for Women (NOW), recalls how protesters in New Orleans, where she was living, offered juice and donuts to women seeking abortions. A nice gesture? Not exactly, Gandy said. "Our opponents knew you couldn't have an abortion if you had eaten anything because of the anesthesia." Gandy remembers her mother calling from Bossier City, Louisiana, to tell her that people were photographing women entering an abortion clinic. "From free orange juice and donuts to looking up license plates and calling up families, talking to women's husbands and kids," Gandy said. "It was bad stuff."

It would get worse. In the mid-'80s, segments of the anti-abortion movement became violent. Clinics were blockaded and firebombed, doctors who performed abortions assassinated. Although courts ruled in favor of the clinics, it was too late. Doctors were scared, and many decided to stop offering abortions.

The anti-abortion forces also fought in Washington, with mixed results. In 1976, the Senate defeated the Human Life Amendment, which would have outlawed abortion. That same year, however, Congress passed the Hyde Amendment prohibit-

ing the use of federal Medicaid money to pay for most abortions. In 1984, President Ronald Reagan enacted the so-called Mexico City policy, which blocked federal money from going to foreign organizations that perform or promote abortion overseas. In 1987, Reagan said that any program that provided abortion counseling or referrals wouldn't be eligible for money through Title X, the government's family-planning program for low-income people.

All along, state lawmakers were passing bills to make it more difficult for women to obtain abortions. Several of the measures ended up before the Supreme Court. And while the Court stood by the basic tenets of *Roe*, it handed down two rulings in particular that effectively curbed access to abortion. In *Webster v. Reproductive Health Services*, the Court in 1989 upheld portions of a Missouri law that barred abortions in public facilities, such as hospitals, declared that life begins at conception, and required doctors to perform viability tests on fetuses after 20 weeks' gestation. Three years later, in *Planned Parenthood of Southeastern Pennsylvania v. Casey*, the Court allowed states to place restrictions on abortion prior to fetal viability as long as they didn't constitute an "undue burden" on women.

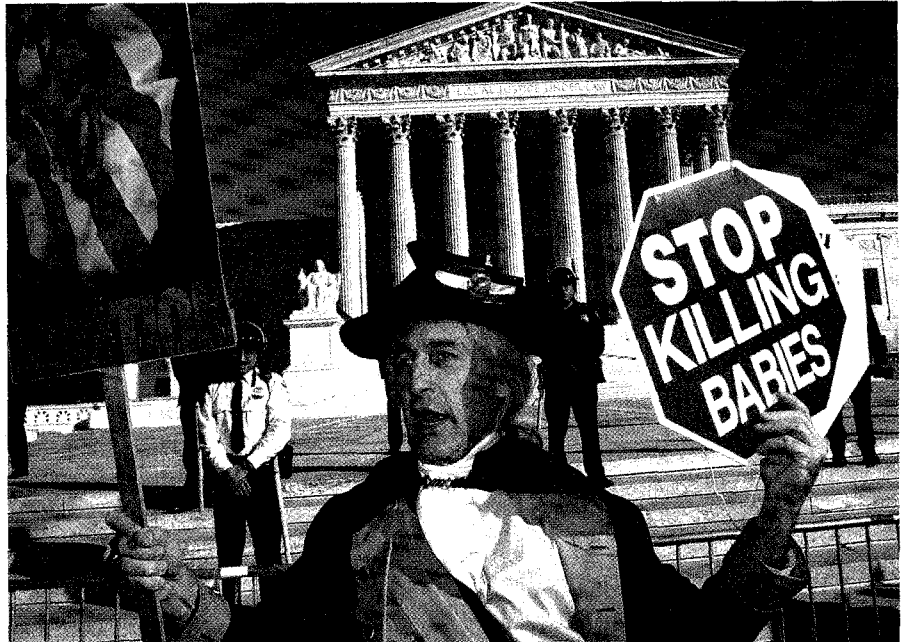
Since then, pro-choice groups have been on the defensive, trying desperately to hold back a tidal wave of anti-abortion activity in statehouses and in an increasingly conservative Congress. But the emotion that marked the abortion-rights movement's early days, the passion that spoke to people where they live, is by and large gone. It now is the province of the other side.

GEORGETTE FORNEY SPEAKS FREQUENTLY, PUBLICLY, AND emotionally about her abortion on October 4, 1976: "I was 16 years old and living in Detroit. I didn't want my parents or anybody else to know I was sexually active. I had a good-girl image. I thought I was big enough to take care of the problem myself. And I did. ... I remember driving to the clinic thinking, 'This feels really wrong, but because it's legal, it must be OK.'" During the procedure, Forney recalled, she felt violated. The stirrups bothered her. So did the "vacuum cleaner." But she moved on. "I decided to pretend it didn't happen," she said. "I did that for 19 years."

A decade ago, about five years after her daughter was born, Forney said she was flipping through her high-school yearbook when she felt a jolt. "I had this sensation that my baby was in my arms. ... I had never allowed myself to think about what I had aborted. There I was, all of a sudden really facing what I had lost, and I was unprepared for that." She sobbed to a friend that she'd killed her baby.

Forney started talking openly about her experience. She founded an organization, the Silent No More Awareness Campaign, to help women like herself find ways to relieve their pain

and gain forgiveness. (She's also executive director of the National Organization of Episcopalians for Life, which, along with Priests for Life, formed Silent No More.) As we talked and Forney repeated her story—for the umpteenth? hundredth? thousandth? time—she cried. In the past two years, she said, the Silent No More campaign had signed up more than 3,000 women to provide testimony at public gatherings and in TV commercials. "We don't want other people to make the same mistakes we did," Forney said. "The mistake is not just the abortion; it's assuming the abortion will solve the problem. You think you're going to walk



Curious George: An anti-abortion protester at the Supreme Court, January 2002

out of the clinic and be relieved and done. You're not prepared for when you go to bed that night and hear babies crying."

Babies crying. Unborn children. The opposition has done a lot to humanize fetuses. The emotional appeal against abortion reached its pinnacle in the last 10 years, when anti-abortion forces served up a genius campaign against what they dubbed "partial-birth abortion," a graphic term that doesn't exist in medical textbooks. Pro-choice leaders, ill-prepared to wrangle in human, as opposed to legal, terms, appeared to be twiddling their thumbs. Though not one abortion has been blocked by the ban, the gruesome images that accompanied the debate in Congress convinced even many abortion-rights supporters that this thing called "partial birth" was wrong.

Technology, too, has lent a hand to those who would end abortions. New 3D and 4D sonograms show in vivid detail what fetuses look like. How, some ask, can you abort a fetus after you've watched it suck its thumb?

Most recently, abortion battlers have proposed the Unborn Child Pain Awareness Act, which would require that providers inform women that fetuses can feel pain after 20 weeks gestation, and to offer them fetal anesthesia. (Tellingly, they don't offer money so that poor women could afford to spare their fetuses this trauma.) Pro-choice groups have been left standing on the side again.

Now, anti-abortion leaders are ratcheting up their emotional campaign further. Having raised sympathy for fetuses, they recently reached into the feminists' quiver to talk about what's best for women. Serrin Foster, president of Feminists for Life, contends that society has failed women by forcing them to choose between school or work and children. "We believe," she told me, "that abortion is a reflection that we have not met the needs of women."

ABORTION OPPONENTS HAVEN'T WON YET—*ROE* IS STILL in place—but they can take solace in numbers. Abortion rates have fallen, in part because of better birth control, but also because of state laws. "*Roe* at this point has been so eviscerated that in many respects, although I don't want to see it overturned—heavens, no—the fact is that this current Supreme Court has thus far found almost no burden undue," said Gloria Feldt, who recently resigned as president of the Planned Parenthood Federation of America.

According to NARAL, states enacted 409 anti-abortion laws in the past decade, 29 last year. NARAL reports that 47 states plus the District of Columbia allow individuals or institutions to refuse to provide women with abortions or other reproductive health services and referrals; 44 states require young women to notify or obtain consent from a parent before having an abortion, though 10 of the laws have been ruled unconstitutional; 33 states plus the District of Columbia ban public financing of abortions; 30 states have mandatory waiting periods of up to three days or requirements that abortion providers give women seeking abortions negative literature or lectures; 26 states restrict the performance of abortions to hospitals or specialized facilities; and 17 states prohibit insurance from covering abortions or require women to pay higher premiums for abortion care.

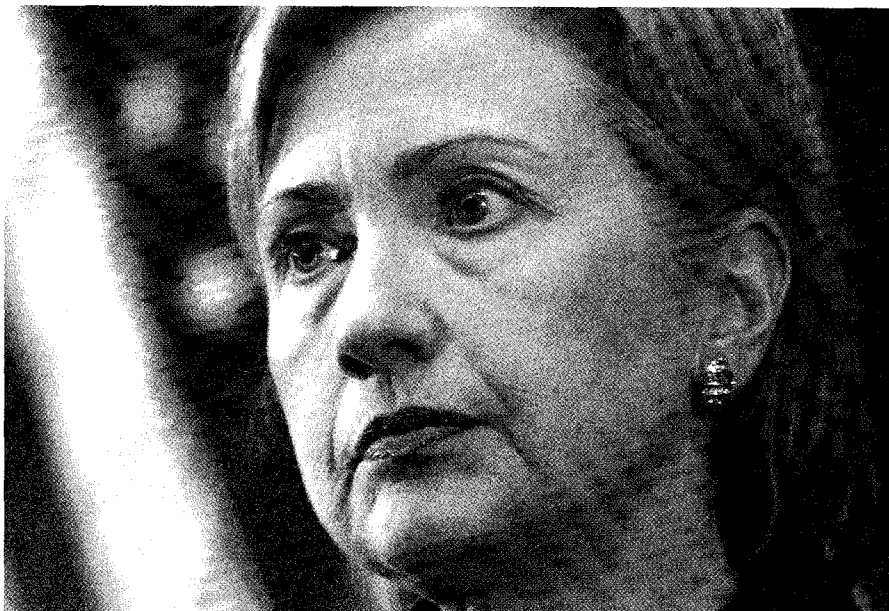
NOW'S Gandy said that even pro-choice lawmakers mistakenly fall victim to arguments that restrictions don't hurt women. "Unfortunately, the legislators on our side don't get it," she told me. "They vote for these, what they call 'little restrictions,' all the time. It seems little to them, but the cumulative effect, or the effect on individual groups of women, can be enormous."

As a result of restrictive laws, violence, and the stigma that has become attached to abortion, fewer doctors and other health-care professionals are providing them. The number of abortion providers declined from a high of 2,908 in 1982 to 1,819 in 2000, a 37-percent drop, according to the Guttmacher Institute. Almost no nonmetropolitan area had an abortion provider in 2000, the institute reported, which might explain why the abortion rate among women in small towns and rural areas is half that of women in metropolitan areas.

State restrictions almost certainly have caused some women, perhaps thousands a year, to forgo abortions. Research suggests

that Wisconsin's two-day waiting period might have contributed to a 21-percent decline in abortions there. Shawn Towey, spokeswoman for the National Network of Abortion Funds, a group comprising 102 organizations that provides money and support for low-income women seeking abortions, estimates that 60,000 women a year find the restrictions so onerous that they carry their babies to term. The Guttmacher Institute stated in a 2001 report that between 18 percent and 35 percent of Medicaid-eligible women who want to have abortions continue their pregnancies if public funding isn't available.

"The biggest chunk of women who are unable to get abortions right now are poor women on Medicaid," said Towey. While 17 states do pay for the abortions of low-income women, 33 do not. "The big irony," she said, "is that low-income women get later



Choice Words: Senator Clinton's January abortion speech rattled a few pro-choice cages.

abortions because they have to delay to save the money." The Guttmacher report said that 22 percent of Medicaid-eligible women who had second-trimester abortions would have ended their pregnancies earlier if the government paid.

And behind every one of these numbers lies the story of a woman.

THE GOOD NEWS, IF THERE IS ANY, IS THAT WOMEN'S rights activists are waking up to their public-relations problem. "I think we have to face the reality that public support for abortion is eroding," said Martha Burk, chair of the National Council of Women's Organizations. "I think we've clearly lost the terminology war. They keep coming up with very reasonable-sounding restrictions, and we are unable to counter that. ... The movement is in a bind."

Feldt said, "For way too many years, the pro-choice movement was reacting to things. They thought they had won, and when you win you only have to defend. When you are in a defensive posture, your adversaries will nibble off one finger at a time, and pretty soon your whole arm is gone." That's precisely what happened when Congress passed the 2003 abortion ban, Feldt said.

AP/WIDE WORLD PHOTO

"The ban ... was not our finest moment," Michelman agreed. "We got caught up on numbers and procedures and we allowed the other side to define the terrain."

Neither were pro-choice leaders helped by the 2004 Democratic nominee for president, John Kerry, who said that he personally opposed abortion but supported a woman's right to choose. "He seemed equivocal. He ceded the moral high ground to the other side," Feldt told The Associated Press after resigning from Planned Parenthood in January.

The solution du jour is a clever tactic to trap the anti-abortion side in a seeming contradiction. Join us, pro-choice leaders are saying, in reducing the need for abortions. "The fact is that the best way to reduce the number of abortions is to reduce the number of unwanted pregnancies in the first place," Hillary Rodham Clinton told abortion-rights supporters in January as she pressed to find "common ground" with opponents. In February, NARAL placed an ad in the conservative *Weekly Standard* asking abortion opponents to "Please, help us prevent abortions." The ad encouraged abortion foes to support a bill introduced by Senate Minority Leader Harry Reid, a Democrat who opposes abortion, that aims to reduce unintended pregnancies by making contraceptives and family-planning services more readily available. The Prevention First Act would require insurance policies that pay for prescription medications to cover birth control, promote emergency contraception (particularly for rape victims), and improve sex education.

The NARAL challenge represents a cunning strategy, if only because it allows pro-choice advocates to define the terms of the debate. "They have avoided wanting to talk about prevention," said the group's new president, Nancy Keenan. "Instead of us always discussing issues that they want to talk about, let's talk about the issues that we want to talk about."

Anti-abortion groups are unlikely to engage in the discussion. They haven't so far, and most of them either reject or simply ignore the question of birth control. Even Feminists for Life doesn't take a position on contraception. (Eleanor Smeal, president of the Feminist Majority Foundation, told me that she tried to compromise with abortion opponents while head of NOW in the 1980s. But, she said, "There is no common ground on increasing family planning. They're opposed to family planning.")

That might not matter now. This isn't a campaign to win over anti-abortion leaders. It's a campaign—like the other side's "partial-birth" strategy—to appeal to middle Americans, the vast majority of whom use contraception and support abortion rights to some degree. As Clinton acknowledged in her speech, the search for common ground needs to go hand in hand with a campaign to demonstrate that women who have abortions are not impulsive monsters but people faced with wrenching decisions. "I believe we can all recognize that abortion in many ways represents a sad, even tragic choice to many, many women," Clinton said. "This decision is a profound and complicated one; a difficult one, often the most difficult that a woman will ever make."

The choice itself—the opportunity to decide—is essential to women's lives. Burk put it like this: "It's not just about whether and when to have children. It's about timing. It's about being able to be free of abusive relationships ... the ability to go ahead with a career. ... It's about how your life unfolds. It can mean the difference in being dependent on government largesse or not for great periods of your life. It can mean the difference in the quality of life for your other children." It can mean, she said, not having a baby at the age of 12. It can mean surviving.

But when politicians and lobbyists argue, it's rarely about 12-year-old girls. More likely, it's about 12-week-old fetuses.

It's time to turn the conversation back—back to women, back to children, back to people who have been born. Frances Kissling, president of Catholics for a Free Choice, said this might mean acknowledging the growing connection Americans have to fetuses, and the moral complexity behind abortion. Pro-choice leaders need to talk about abortion the way women talk about it at their kitchen tables, Kissling asserted. "My experience with women at abortion clinics is they largely understand the nuances of what's going on," she said. "They do not come in waving the flag and pounding their shoe on the table

The pro-choice movement needs to show that women who have abortions are not impulsive monsters but people faced with wrenching decisions.

demanding an abortion as a political right. They come in ... as rich human beings dealing with a conflict of values. They come in fully aware that the life that is developing within them has value. To me that doesn't give it rights, that doesn't make it a person. Its developing humanity still comes into conflict with women's lives and aspirations."

It's that sense of the fetus that's convinced some in the pro-choice movement that they should stand back during the upcoming congressional debate on the "fetal pain" bill, which wouldn't restrict abortion, but which would continue to humanize fetuses.

The challenge for pro-choicers is to balance America's growing sympathy for fetuses with an equal—or greater—concern for women. They must counter the image of a humanized fetus with that of a human, caring, and sometimes suffering woman—with a woman who has needs and feelings and morals. The argument won't win over staunch abortion foes. But it should strike a chord with mainstream Americans, the very people the abortion-rights movement needs to reach. The pro-choice movement must speak the language of real people—and maybe even let real people, like Kimberly, speak. **TAP**

Jodi Enda, based in Washington, D.C., has covered the White House, presidential politics, and Congress for Knight Ridder Newspapers and was a national correspondent for The Philadelphia Inquirer.

Zapatero Steps Up

Legalized gay marriage—in Spain? That hardly begins to describe the new prime minister's dramatic first year in office.

BY GEOFF PINGREE AND LISA ABEND

“**A** IM WELL, MILICIANO, FOR YOU DEFEND THE Republic.” On a barren hill in Asturias, Spain, near the border with León, José Fernández, a Loyalist soldier, etched this phrase into wet cement in September 1936, adding, “The Trench of Captain Lozano.” Written to commemorate a friend who’d been shot weeks before by Nationalist troops for refusing to desert the army of Spain’s democratically elected government, Fernández’s words remain visible in the rough stone 70 years later. They are a potent tribute to Lozano, a soldier who gave his life for the republic’s ideals. But in today’s Spain, there is a memorial even more powerful: the man named José Luis Rodríguez Zapatero, who, in addition to being prime minister, is Lozano’s grandson.

Zapatero’s heritage is not insignificant. The man whom some Americans consider this generation’s Neville Chamberlain is, for the people who elected him, more activist than appeaser. In his first year in office, Zapatero has pulled Spain’s troops out of Iraq, dismantled the obstacles to the European constitution that his predecessor, José María Aznar, erected, and led a crackdown on Islamist terrorism that has yielded hundreds of arrests. But even more striking are the social changes that his government has initiated within a remarkably brief period of time: gay marriage and adoption are now legal, domestic violence laws are tougher, and long-standing subsidies to the Catholic Church are being eradicated in an attempt to create a genuinely secular state. Some read these changes as little more than leftist interventionism, but others see them as the first serious attempt to honor the promise of civil rights in Spain’s 1978 constitution and a long overdue effort to eradicate the lingering effects of the regime that killed Zapatero’s grandfather, along with hundreds of thousands of other Spaniards.

This April marks the anniversary of Zapatero’s first year in office, and to say that the year has been a remarkable one would be an understatement. For a man once known as Bambi (both for his doe-like eyes and gentle—some would say bland—personality), it has been a year of striking accomplishments. But more extraordinary is the depth of change that has occurred in Spain itself, a once firmly Catholic and staunchly traditional country. Consider the plight of women. Under Francisco Franco—and re-

member, his rule lasted until his death in 1975—they had no independent legal status. They could neither work outside the home nor open a bank account without permission from their husbands or fathers. Divorce and contraception were illegal, and domestic violence was not a crime. Once the dictator died, the harsher elements of his gender policies slowly disappeared: Equality before the law was guaranteed in the 1978 constitution; divorce became legal in 1981; abortions for women who had been raped or whose pregnancies endangered their health were permitted after 1985; and, in time, increasing numbers of women entered universities and the workplace. Still, Spain lagged behind other Western countries on many important gender issues. The 1981 divorce law, for example, paternalistically required that a couple be separated for a full year before they could begin marriage dissolution proceedings. In 2003, twice as many Spanish women as men were unemployed. And in 2004, Amnesty International criticized the failure of the Aznar government to stem domestic violence.

Then came Zapatero. As a candidate for prime minister, he promised that he would appoint equal numbers of men and women to his cabinet—no small guarantee in this historically *machista* country, and a vow that Marta Ortiz, president of the Spanish chapter of the European Women’s Lobby, says she had heard before. Ortiz, who has worked in the women’s rights movement since Franco’s death, says, “Experience had taught me that campaign promises are made to be broken. But as soon as he took office, Zapatero did what he said he would do.” Indeed, eight of the 16 ministers sworn in before King Juan Carlos in April 2004 were women. And then, as María Teresa Fernández de la Vega recounts, “He went even further than he had promised; he named me the first female vice president.” With these appointments, Spain became one of just two countries in Europe to achieve gender parity at the highest level of government.

Zapatero followed those selections with another advance for women’s rights. The first piece of legislation his government proposed was the Comprehensive Law against Gender Violence—necessary, according to Fernández de la Vega, for eradicating “one of the core impediments to gender equality.” The bill—which requires harsher punishments for perpetrators, augments the number of police and judicial officers assigned to domestic-

violence cases, and substantially increases financial and social aid for victims—provoked criticism from conservative parties, which maintained that the legislation unconstitutionally favored female victims of domestic violence. But in a country where in the past five years nearly 350 women have died at the hands of their domestic partners, those complaints had little influence; the law went into effect on February 7. And a new law that allows for no-fault divorce and eliminates the separation period during which many incidents of domestic violence typically occur goes into effect later this year.

Women have not been the only social group to benefit from Socialist Party activism. Under Franco, homosexuality was considered a crime and a mental disease, and those accused of practicing it were prosecuted and either imprisoned or institutionalized. When the regime ended, both the *movida*—that famous, late-1970s cultural movement embodied in many of Pedro Almodóvar's films—and a growing social tolerance gradually eroded public hostility toward homosexuality. But it took Zapatero to translate that tolerance into government action. Last October, Spain became only the third European country to legalize gay marriage, and only the second to allow gay married couples to adopt children (Holland was the first nation to permit marriage between persons of the same sex, in 2000; Belgium followed in 2003). The Spanish version of the law is sweeping: It grants gays and lesbians all the rights affiliated with marriage, including rights of inheritance, pensions, and nationality.

The opposition Popular Party, which has declared support for legal changes that would permit gay marriages but opposes allowing gay couples to adopt children, characterizes the Socialists' initiative as a precipitate and self-serving political gesture that exceeds good judgment. But Pedro Zerolo, a member of the Socialist Party's executive body and a prominent gay-rights activist, contends that the new law signals a wider acknowledgement. "Spain is finally accepting its own diversity and liberating itself from singular notions of what it should be," he says. Zapatero says the initiative is intended to finally put into practice the civil rights that the 1978 charter had promised.

The same commitment to delivering in practice what the law promises in theory characterizes Zapatero's recent attempts to remake the relationship between church and state in Spain. Just days after the Socialists won the election, several of the autonomous regions announced a moratorium on one of the previous government's most controversial measures: a law that required religious education in public schools. This widespread

gesture was clearly a sign of things to come. Within months, the Zapatero administration had announced plans for a "road map" to divest the Catholic Church of the disproportionate economic and social privileges it has enjoyed for centuries.

In a country whose constitution guarantees freedom of religious expression and forbids state sponsorship of any particular faith, such a change might seem unremarkable. But Spain's constitutional history is unusual, fraught with political risks and peculiar compromises. The Catholic Church has played a central role in Spain throughout its history. It was especially powerful during the Franco regime, at once legitimizing the dictatorship (indeed, the Nationalists rose up against the Republican government in the 1930s in part because of that government's attempts to reduce the Catholic Church's wealth and power) and propagating a "National Catholicism" that would enforce the dictator's social and political codes, sometimes quite literally, as in the case of the political prisons run by priests and nuns. So great was the Church's influence under Franco, in fact, that three years after the dictator's regime had ended, the authors of the Spanish constitution—moderates all—wrote into the charter not a wall between church and state but a mere handshake.

In October of last year, the Zapatero government made clear that it intended to go further in fulfilling the promise of the constitution by establishing Spain as a genuinely secular state. A draft of the statute, which reiterates the importance of treating all religions equally under the law, calls for removing religious symbols from public spaces such as classrooms, eradicates religious instruction from the regular public-school curriculum, and, most controversially, eliminates the preferential funding that the Catholic Church has long received from the state—roughly 3.5 billion euros last year in direct aid to support the church's ecclesiastical, educational, social, and cultural endeavors. These measures, along with efforts in support of women's rights and gay marriage, have met with fierce opposition from Church leaders. Before he fell ill, the pope went out of his way to reprimand the Spanish government. But as Victorino Mayoral, a Socialist deputy in the Spanish parliament, explains, the new legislation is intended to resolve the fundamental paradox that has long made Spain both a secular society and a Catholic state. "In a democratic society," he says, "the kinds of political advantages [that the Church enjoys] are unacceptable, because they impede the development of all other kinds of liberties."

On the broader international stage as well, Zapatero has explicitly rejected the old ways of doing things. It would be stretching



Way, José: Spain has embraced Zapatero's sweeping changes.

the truth to claim that his sudden withdrawal of Spanish troops from Iraq was a rejection of the Francoist embrace of militarism (Spain currently has the highest number of foreign troops in Afghanistan). But in fulfilling his campaign promise to the Spanish people—a full 90 percent of whom opposed the war in Iraq—he demonstrated that, unlike his predecessor, he does see himself operating above public opinion.

Just weeks after Zapatero took office, the European Union became the arena for another of his minor revolutions. By agreeing to a voting system that gave slightly less power to the “second-tier” states like Spain and Poland, he single-handedly dissolved the barriers to the European constitution that his predecessor, Aznar, had raised. On February 20, Spain was the first country to hold a referendum on the constitution, which passed overwhelmingly with 77 percent approving. A week earlier, the prime minister published an editorial in *El País* in which he noted that the dictatorship had kept Spain out of the initial efforts to develop the European Community. Urging a vote in favor of the constitution, Zapatero wrote, “I am convinced that the Spanish people—as on so many other occasions in our recent history—will prove the maturity of its democracy.”

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IT IS THIS MATURING OF SPANISH DEMOCRACY, MORE THAN anything else, that helps make sense of Zapatero’s decisions and actions. Zapatero rose to prominence as memories of Franco began to recede. Born to a middle-class family in 1960, he became politicized the year after Franco’s death, and rose through the ranks of the Socialist Party during the 1990s. Óscar Campillo, one of Zapatero’s biographers and the editor of the newspaper *El Mundo de Castilla y León*, has known the prime minister for a long time, and he is not surprised by the recent turns of events. “Zapatero belongs to the first generation that didn’t really experience *Franquismo*; he only knew it as a child,” says Campillo. “So he’s not mortgaged by the past. He can simply fulfill the principles he has always held.”

Polls show that a significant number of Spanish citizens share Zapatero’s beliefs. In March 2004, before he took office, nearly 83 percent of Spaniards said they believed the government should do more to combat domestic violence. Later surveys showed that 66 percent support gay marriage and that 61 percent hope the European constitution will be approved.

Whether Zapatero owes his election victory to the March 11, 2004, Madrid bombings is a question kept alive by his opponents, including many in the U.S. government. Traces of bitterness filled the American press following the Spanish elections: Spaniards were accused of “appeasing” terrorists; Zapatero was compared to Chamberlain; the Spanish vote, warned Thomas L. Friedman in *The New York Times*, taught al-Qaeda that it had

the power to “disrupt” a national election. That bitterness remains in the still frosty relationship between Spain and the United States. But Zapatero himself has calmly maintained that he has no doubts about his victory. It was not the bombings themselves, the prime minister says, that swayed voters, but rather the secretive and duplicitous way in which the Aznar government handled the tragedy.

This, then, is the Socialists’ explanation for their victory: The Spanish turned out their incumbent government because it continued, long after finding contradictory evidence, to insist that the Basque separatist group ETA was responsible for the bombings; to insist—as it had many times before—that it was simply, and exclusively, right. What Spain’s voters rejected, according to this argument, was their government’s inability to acknowledge error, its unwillingness to engage in dialogue.

Certainly throughout their eight years in power, Aznar and the Popular Party exploited the divisions within Spanish society, cranking up again and again the old “two Spains” trope. Much in the way that red and blue states have come to signify opposed, apparently irreconcilable cultural attitudes within the United States, so, too, has the notion of two Spains character-

ized the chasm that supposedly divides a secular, Eurocentric, and pluralistic Spain on the one hand from a conservative, Catholic, nationalistic homeland on the other. Since the 19th century, observers have employed this two-sided model to make sense of everything, from Spain’s failure to develop a middle class to its outbreak of civil war in the 1930s to its long dicta-

torship. In the years since, as the country has embraced democracy and become more culturally diverse, the trope has provided fewer and fewer easy answers. Yet Aznar and his Popular Party clung to it ferociously, using this polarized vision to isolate regional nationalist movements, to promote Catholic education in public schools, and to sink attempts to forge a European constitution. In a telling, embittered move that came early in Zapatero’s administration, the Popular Party—although it had won a majority in the house—refused to allocate, as convention dictated, some of its seats on the governing congressional boards to the minority parties, and was thus forced to relinquish the presidency of the senate. “The Spanish people have told us they want us in the opposition,” said Popular Party spokesman Eduardo Zaplana at the time, “and so we will be the opposition.”

There is a feeling in Spain these days that perhaps the time for such reductive thinking has passed. The prominent Spanish historian Paul Preston recalls watching Aznar’s last state of the nation address to the parliament. “I was astounded,” he says, “at the vehemence and the nastiness of Aznar. The viciousness reminded me of the debates in the Cortes in the summer of 1936, and I kept asking, why does he have to do this? He’s a successful politician, they’re in power with a majority, and they’re winning all the polls. And then later, in talking to people, I got the sense that what Spaniards call ‘*crispación*’ [hostility] was being wound up unnecessarily by the Popular Party, and that they gave the Socialist Party a mandate against that.”

But perhaps the clearest evidence of Spain's democratic maturity can be seen in the disintegration of the so-called pact of silence, the implicit agreement, deemed necessary at the time for a peaceful transition to democracy, that there would be no recriminations against—indeed, no discussion of—the Franco regime's crimes. In the past few years, that silence has crumbled, giving way to a multipronged movement that seeks to recover the nation's memory of both the Spanish Civil War and the Franco dictatorship. From museum exhibitions that document the realities of Franco's concentration camps, to volunteer organizations that exhume the mass graves of those executed during the wars, to the myriad books and documentaries that expose the atrocities of Spain's recent past, this recuperation of collective memory—and the willingness to confront the painful facts it brings to light and endure the awkward controversies it engenders—has demonstrated Spanish democracy's stability.

Both before and during his presidency, Zapatero has played a leading role in the process of dismantling the pact of silence. As a deputy from León, he spearheaded parliamentary efforts in 1999 to restore pensions to veterans who fought in the Republican army during the Spanish Civil War. At the Socialist Party Congress last summer, he called upon the mayors of Socialist-led cities to rid their public spaces of the names that still celebrate the regime—the Avenidas del Generalísimo and Plazas de José Antonio Primo de Rivera. Most significantly, he recently appointed a commission to explore how best to pay homage and make reparations to the victims of Franco's repression. The commission's findings are expected in March.

IN THESE MANY PUBLIC ACTIONS, ZAPATERO PAYS HOMAGE to Captain Lozano. But there are other, more private ways in which he reflects the influence of the grandfather he never knew. In his biography of the prime minister, Campillo recounts the moment when Zapatero's father read him the hastily written will that Lozano, realizing he would be executed, penned from his cell. After dividing his property and books among his family, Lozano wrote of his impending death. He requested a civil rather than religious funeral, but he also confessed his belief in God. And he wrote that he forgave his executioners, asking his wife and children to forgive them as well. Then he finished: "When the moment is right, may my name be vindicated, and may it be known that I was not a traitor to my country; that my credo consisted always in an infinite desire for peace."

From that will, according to his biographer, Zapatero learned

the lesson most important in his life. "From it he gets his famous attitude," Campillo says, "the aspect of his personality that his enemies love to mock. From his grandfather he gets his tolerance, his eagerness to pursue dialogue" rather than drawing hard lines. That emphasis on dialogue was one of the themes of his campaign, and it has proven to be the defining feature of his administration thus far. Says Marta Ortiz: "During the previous eight years, there was no civil dialogue. The government never consulted with organizations like ours—not only women's groups but social groups in general. Now, we've recuperated dialogue. We feel like we form part of a new state."



Still Dead: And increasingly, Franco's legacy is being erased.

The greatest challenge to that dialogue came at the end of last year when the regional Basque Parliament unexpectedly approved the Ibarretxe Plan, which would allow the Basque territories to decide for themselves in a referendum whether they wished to remain a part of Spain. This turn of events momentarily threw the Spanish government into a state of crisis. Politicians from many of the national parties called the plan a threat to the integrity of Spain, and editorials in all the major newspapers speculated on whether the Basque country could survive as an independent state. In the midst of this mood of national anxiety, Zapatero condemned the Ibarretxe Plan as unconstitutional and forged a pact with the opposition Popular Party to block it. But in a historic gesture, he also engaged voluntarily in debate with the Basque president and author of the plan, Juan José Ibarretxe, on the floor of the

Congress of Deputies. And whereas his predecessor, Aznar, had refused to meet with Ibarretxe at all, Zapatero not only invited the Basque president to Moncloa, the presidential palace in Madrid, for discussions, but also, in the wake of the Ibarretxe Plan's defeat, offered to negotiate a new statute of autonomous rights for the Basque country.

The *convivencia*—literally, "living together"—to which Zapatero makes frequent reference, then, is more than an empty rhetorical tool. "He is determined," says Campillo, "that we never return to the era when some Spaniards imposed their will on others." He is determined to lay to rest the two-Spains model, that us-versus-them vision of society that supported 40 years of civil war and dictatorship. He is determined, we might say, to venerate—and to carry on—his grandfather's legacy. **TAP**

Geoff Pingree and Lisa Abend report from Spain for The Christian Science Monitor. Their work has appeared in The New York Times, The Washington Post, and other publications.

Goodbye to All That

The first lesson for any opposition movement today is that the '60s were actually the decade of the right's triumph.

BY KEVIN MATTSON

WITH CONSERVATISM DOMINANT IN EVERY branch of government, it is clear that liberals are an opposition party. We have to think, act, and strategize like an opposition party. That means figuring out ways to articulate what we stand for while not alienating those who may disagree with us but can be persuaded to see things our way. That's a difficult balancing act. Of course, the postwar left has been in opposition before, and that's a historical fact that can be turned to advantage—there's a track record to examine and think through, and a set of political styles and strategies for change to reflect upon. Examining this history can mean recycling good ideas and tactics. But what if it means recycling bad ones?

No doubt, some progressives will be drawn to the protest movements of the 1960s to inspire opposition today. There are good reasons for this. The world that existed before the '60s is one that no one wants to go back to. The decade witnessed enormous victories for African Americans, women, and the poor. The civil-rights movement—with its pioneering use of nonviolent and grass-roots “direct action”—prompted these advances. It also gave birth to a new form of politics that championed the energy of ordinary citizens and that carried on within the peace movement's struggle against the Vietnam War. College students, through the teach-in movement, learned how to connect their learning to political engagement. The decade seemed a golden age of political idealism.

Remembering the '60s as a time of heroic activism—when ordinary citizens changed the terms of politics—suggests we might be able to recycle those protest styles today. Younger activists are doing that as they march on Washington, against the Iraq War or in favor of abortion rights. The left is often identified, in the press and in popular imagination, as a series of marches. Protest has become an easy way to express dissent. It's often highly visible and focused in terms of time and resources. When people mass in the streets—as they were known to during the 1960s—it appears something is wrong in the country that demands attention. And because protest activists are the most vocal element of the left, they attract the energy of young idealists yearning for a way to express their political disaffection. Take it from some-

one who's marched a lot in his life: There's an emotional appeal to massing with others you share solidarity with.

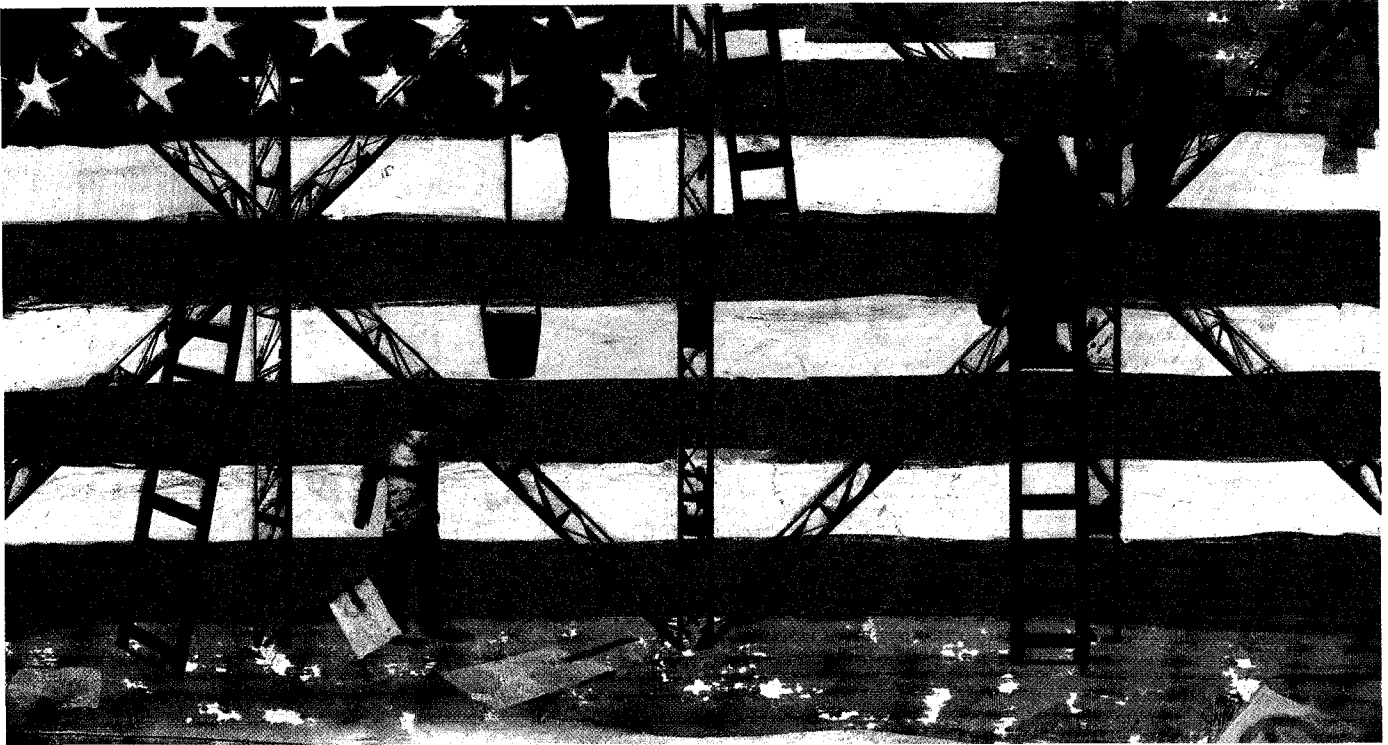
But there's also a limit to protest. With its emphasis on criticizing rather than building, it nurtures a narrow conception of opposition. Of course we need to criticize, especially with this administration in power. But for the long term, it's far more important at this historical moment that we build. The left needs to think about long-term and broader ideas of change. Protest doesn't help here; it's too fleeting and spasmodic.

To romanticize protest and the decade of the 1960s cuts us off from rethinking—with a cold, analytical eye—the decade's lessons. The spirit of the '60s has something to teach us, for sure, but it's a mixed message, one that lives on in the activist wing of today's left in troubling ways. We need to search out styles, dispositions, and ideas that can inform our present sense of being an opposition party—and we need to widen what we choose from. We also need to recognize how the past's influence precludes more productive strategies for the present, how what might have worked in a previous context no longer works today. To get a sense of this, we need to travel back to 1968, to a time when the decade's meaning crystallized, a time that seems far gone at first but whose images and memories live on in disturbing ways today. Remembering the past critically allows us to be a more effective opposition in the present.

PROTEST AND CONFRONTATION AS POLITICS

Both internationally and in the United States, 1968 remains one of the most evocative years in the history of the left. The spirit lives through images of protesters massing in the streets and Molotov cocktails zinging through the air. Protest and anger aren't the only tendencies from the time, but they are certainly the most evocative. Mark Kurlansky, in his book *1968: The Year that Rocked the World*, explains the allure: “People under twenty-five do not have much influence in the world. But it is amazing what they can do if they are ready to march.” Breaking from the limitations of the sidewalk into the streets now conjures a feeling of exhilaration and radical accomplishment.

No occasion in American history symbolizes this more than Chicago's Democratic convention during the summer of 1968.



Memories of Chicago come easy due to its highly charged political theater. Abbie Hoffman's organization, the Youth International Party (Yippies), planned to protest the Democratic convention with a "Festival of Life" that would nominate a pig picked up from a local farm for president. Protesters were refused permits but insisted on marching, while Richard Daley, the mayor of Chicago, did all he could to spark a fight. Chicago became a pressure cooker, a leading Yippie calling it "a revolutionary wet dream come true." When the riots occurred and the police clubs started swinging, protesters chanted, infamously, "The whole world is watching." Unfortunately for the protesters, America watched, all right—and cheered for the working-class cops of Chicago, for the "man" sticking it to the longhairs in the streets. Protest, confrontation, and outrage didn't elicit the intended sympathetic response. Anger killed strategy.

It may be easy to overstate the resonance of such tactics today, but a romanticism about them does exist among those who still believe in street protests. When Rick Perlstein interviewed organizers of the 2004 protests at the Republican convention, he found them championing direct action and confrontation as a tactic. Check out the A31 (August 31) Action Coalition, an organization based in Brooklyn that was angry at New York City's permitting system that confined protesters to certain areas. A31's leaders hoped to "transform the streets of NYC into stages of resistance" They called for people to "sit down and refuse to move," and to ignore the limitations of "protest pens" set up by police. To make the connection to 1968 crystal clear, they posted a recent op-ed by Tom Hayden on their Web site—no surprise, as Hayden had argued in 1968 that Chicago symbolized a move toward "direct action and organization outside the parliamentary process," language remarkably similar to that used by A31.

This was not the only organization that recycled protest styles of 1968. There was Dontjustvote.com and the old peace move-

ment organization, The War Resisters' League (WRL), both celebrating action in the streets, no matter the consequence. A leader of the WRL told Perlstein, "We need to do what we think is right to do, and not so much worry about, ah, 'Well, what if this? What if that?'" I think we need to do what our conscience tells us is important to do" When Perlstein asked if this might alienate the wrong people, the organizers shrugged. These activists seemed in the clutches of 1968, transported back to Chicago and prepared for the worst. Fortunately, this time, the "whole world" wasn't watching.

It's remarkable how much these protesters live in another era. Over and over, they use Martin Luther King Jr.'s words to justify their actions. They especially like the following quote (seen on numerous Web sites) from "Letter from a Birmingham City Jail" (1963): "Nonviolent direct action seeks to create ... a crisis and establish such creative tension so that a community that has constantly refused to negotiate is forced to confront the issue." Plucked out of context, the quote suggests thoughtful political strategy. After all, these activists are appropriating America's best political thinker on nonviolence and democratic change.

But in plucking the quote, these activists ignore its context. Go to the rest of the document and you find much more. King was explaining how a minority, African Americans, could struggle to make a moral appeal to a majority. He believed black Americans had to highlight "the best in the American dream" in order to be heard. And civil-rights protesters had to rule out other options before embracing the challenging ethic of nonviolent direct action. You had to have moral merit on your side—what Reinhold Niebuhr called a "spiritual discipline against resentment"—before rushing into the streets.

Today's protesters ignore King's reflections on his own historical context. Consider that John F. Kennedy was president when King wrote his letter, and that King was one of Kennedy's

most astute critics. King believed in 1960 that candidate Kennedy “had the intelligence and the skill and the moral fervor to give the leadership” the civil-rights movement had “been waiting for.” Soon, though, King realized Kennedy had “the political skill” but not “the moral passion.” Nonviolent direct action, with its intention of creating conflict to expose tension, was precisely the tool to jump-start that moral passion. King saw an opening that the movement could prod, and this got him the legislation he desired: the Civil Rights Act of 1964.

The year 1963 was its own time, distinct from 1968 and certainly 2004. George W. Bush is no John F. Kennedy, and today’s Republican leadership in Congress is a far cry from the Congress of 1963–64. The chance that Bush and congressional Republicans would be prodded into some kind of action by such protests is zero (unless, indeed, protest moves them to act more forcefully in the *other* direction). The protesters at the Republican convention of 2004 might have imagined themselves as working in the tradition of King. But the context had shifted so drastically that their actions fell on—quite literally—deaf ears. It wasn’t even clear what they hoped to accomplish. And when the goals aren’t clear, protest means little more than expressing rage. That’s why it often takes the form of political theater, which too often encapsulates those who make it in their own hermetic world; it replaces explanation of political ideas and policies with in-jokes and references that confirm pre-existing opinions. If you know a pig stands for a white guy with power, you get it; if not, you don’t.

There’s a recent, evocative documentary, *The Yes Men*, that focuses on two activists inspired by the French Situationists (intellectual forerunners to 1968 France) and the Diggers (politically minded hippies before Hoffman). They pose as representatives of the World Trade Organization and attend business gatherings exhibiting a television monitor that polices workers and pops up like a phallus in a blow-up suit. They get applause in rooms of 30 people, although it’s not clear why. The movie winds up showing these “activists” as all-knowing lefties snickering at their opposition. The climactic scene involves their presentation to a college classroom, where students protest their idea of turning human feces into McDonald’s hamburgers sold to citizens of the Third World.

Unlike political humor that entertains, political theater has a pretense of changing public life. The Yes Men think of themselves as activists, but the tendency to laugh at their opposition rather than engage it betrays their project’s limitation. Asked about the “mind-set of the corporate man” who might resist their jokes, these activists call them “ready to goosetep.” Generally, people are “easy prey for the ideas of the corporate decision-makers.” The Yes Men characterize their opposition as “dumb asses” who wouldn’t “listen anyhow.” “Criticizing those in power with a smile and a middle finger” is what they intend. Expression trumps strategy.

EXPRESSIVE ANTI-POLITICS

Indeed, guerilla theater and protest as outrage suggest another legacy of 1968: expressive anti-politics. This element of political style draws from pop existentialism and participatory democracy. Once again, it crystallized in Chicago, and specifically in

Tom Hayden. By 1968, Hayden was disenchanted with electoral politics and supported urban riots and Third World guerilla fighters. Chicago ratified his break from electoral politics, especially when Eugene McCarthy’s supporters spilled out of the convention and into the streets. The left had literally split—those inside the hotel symbolizing electoral politics (the fogies), and those outside practicing direct democracy in the streets (the youth). Here can be found the essence of expressive anti-politics and its long legacy of liberal powerlessness.

The *impulsive* nature of direct action—its immediacy—is precisely its major appeal for today’s activist left. L.A. Kauffman, an organizer involved with United for Peace and Justice (a leading anti-war organization that formed in the last few years), explains, “Direct actionists devote little if any energy to lobbying or passing legislation; if they interact with the government, it’s almost always by raising a ruckus.” Here’s a curious embrace of protest over power—the bizarre idea that a presence in the streets can substitute for a presence in the halls of government, or that reacting to government action is morally superior to initiating it. The sentiment is echoed in the ideas of Don-justvote.com, an organization that was created for protests at the Republican convention of 2004 and a clear inheritor of the spirit of ’68. As its Web site explains, the organization embraces “the power of direct action” and “direct democracy as a viable alternative to representation.” This is the political theory of street action or, put more positively, “participatory democracy.”

The idea’s salience arises from its respectable lineage in American political thought, which stretches back to Thomas Jefferson and John Dewey. Dewey believed democracy required a home in the local neighborhood where discussion and association took place. When members of Students for a Democratic Society (SDS) gathered in Michigan in 1962 to write the famous “Port Huron Statement,” they outlined the demands of participatory democracy and invoked Dewey’s ideals. But they also invoked a jargon of authenticity taken from existentialist philosophy. While embracing “a democracy of individual participation,” they hoped to find “a meaning in life that is personally authentic.”

But there’s a problem with proclaiming both of those as goals: Authenticity of the self and actually living in a democratic community with other citizens who hold varying opinions are two very different—if not, in fact, irreconcilable—demands. In Chicago, the two ideals clashed, and authenticity won out. Protesters pitted themselves against the inauthentic masses—the police, those who believed in the Vietnam War, the “pigs.” When this occurred, participatory democracy no longer supplemented representative democracy but replaced it; authenticity displaced the challenge of deliberating with other citizens who might disagree. To be authentic meant to give direct expression to desire rather than to work through a longer process of changing representative institutions. It focused on what George Cotkin, the historian of American existentialism, called “catharsis.”

Critics noticed the dangers at the time. As Christopher Lasch wrote soon after the Chicago convention, “The search for personal integrity could lead only to a politics in which ‘authenticity’ was equated with the degree of one’s alienation, the degree of one’s willingness to undertake existential acts of defiance.”

Bayard Rustin agreed, arguing that the participatory ethic of protest threatened the importance of doing actual politics, which required coalition-building and compromise, and wound up pitting leftists against liberals in a dangerous internecine warfare and mutual alienation. But clear as this might have been to some back then, the idea's appeal lives on in the activist left's disposition to political action combined with a lack of realism—a disposition apparent today when expression trumps effectiveness. Go back and read the statements of Naderites in 2000, or the shriller ones from 2004. You can hear moral fervor trumping political responsibility—the idea that voting is about expressing conscience rather than influencing policy. When *The Progressive* interviewed the few remaining Naderites working in the swing state of Wisconsin in 2004, the publication confronted purist sentiment. Supporters explained that they were “principled” while those supporting the Democrats were “muted.” One went so far as to say, “It’s not important who’s sitting in the White House, it’s who’s sitting in.”

This is the ugly legacy of 1968: the authenticity of conscience pitted against the requirements of a pluralistic and conflicted society, the ethic of expression winning out against all other aims, including practicality. “Direct nonviolent action” no longer means what King believed it meant; it now means remaining pure by turning “Your Back on Bush,” as recent protesters did at the inauguration, even if the result wasn’t anything more than making them feel better. Expressive anti-politics is the last refuge of the powerless. Impulsive, it bursts like a flame and then burns out, to be felt only in the heart of the participant while the ruling class, unperturbed, goes on its merry way.

THE RIGHT(S) LESSONS FROM THE '60S

Burnout is a constant theme of 1968. We’ve heard the refrain about “tired radicals,” and the one about Yuppies turning into yuppies. Even while appreciating the social movements from this time, Paul Berman (who was a part of it all) admits, “The uprisings proved amazingly unproductive in regard to conventional political or economic change.” The historian Alan Brinkley comments, “The new radicals” of 1968 “never developed the organizational or institutional skills necessary for building an enduring movement.”

Meanwhile, of course, an enduring movement was being built during the '60s—but it was on the right. Historians of the decade used to focus on left-wing organizations, writing books about SDS, the Student Non-Violent Coordinating Committee, or the Southern Christian Leadership Conference, typically culminating in the tumult of 1968 and thus telling a story of factionalism and decline. Today, however, historians are growing more interested in documenting the right and telling a tale not of decline but of ascendance. James Miller, who wrote a marvelous book about SDS, explained to the magazine *Lingua Franca* a few years back that “in terms of the political history of this country, the New Left just isn’t an important story.” Focusing on the left, he explained with a certain irony about his own historical

work, evades “the extraordinary success of the forces that first supported [Barry] Goldwater, then [Ronald] Reagan as governor of California, and then [George] Wallace. I can’t help but see that absence in the historiography as integral to the mythologization of the Sixties.” Miller echoes the argument of M. Stanton Evans, a leading conservative intellectual and popular writer, who wrote, “Historians may well record the decade of the 1960s as the era in which conservatism, as a viable political force, finally came into its own.”

When Evans wrote that line he was discussing an organization that still grabs the attention of young historians today: Young Americans for Freedom (YAF). YAF’s membership was always more stable and often larger than SDS’s, but more importantly, the group created a longer-lasting infrastructure. It engaged young people philosophically, through a ringing endorsement of liberty and individualism; but it also engaged them with well-organized chapters on campuses that cultivated long-lasting skills for activists (Richard Viguerie, for instance, pioneered his direct-mail tactics through YAF). YAF worked with the Intercollegiate Society of Individualists to coordinate lectures of right-wing thinkers and circulate conser-

This is the ugly legacy of 1968: the authenticity of conscience pitted against the requirements of a pluralistic society, the ethic of expression winning.

vative books to students. It linked up with Goldwater and Reagan, supplying an army of young volunteers for their campaigns. Did it engage in protest? Certainly not. During its “heyday in the early '60s,” Maurice Isserman and Michael Kazin point out, YAF members went to “the lectern and the party caucus more than into the streets.”

The networks of YAF were replicated for adults in places like Orange County, California. Here, there were chapters of the John Birch Society that supported local school-board candidates and institutions like the Orange County School of Anti-Communism, where conservatives could fraternize, learn about boycotts of corporations selling products to communist countries, and hear Reagan speak before he even considered a run for governor. There were also barbecues, coffee klatches, and discussion groups that congealed a conservative animosity toward the federal government and liberalism. Churches and right-wing bookstores helped provide “movement centers,” and the infrastructure was especially impressive considering the decentralized, suburban setting.

These networks explain the passion and long-lasting influence behind Goldwater’s run for the presidency in 1964. Traditionally, the campaign was seen as a right-wing disaster. Goldwater’s convention speech in favor of “extremism” still sounds scary. But now, more remarkable is the infrastructure that stood behind Goldwater. A strong network of activists worked hard to push the Republican Party toward the right, away from centrists like

Nelson Rockefeller. It wasn't enough to win the presidency in 1964, but that same infrastructure—YAF, John Birch Society chapters, and general right-wing networks—helped Reagan become governor of California in 1966. As Isserman and Kazin explain, conservatives “sustained morale and kept expanding their numbers for years after the young radicals had splintered in various directions.”

We can link this scholarship about conservative grass-roots activism to something already well-known: that throughout the 1960s, the right was developing ideas that would come to fruition much later. Leading this initiative was the well-known (now at least) American Enterprise Institute (AEI). Though founded in 1943, it changed form during the 1960s. Its leader, William Baroody, believed it should not just reflect the right's primary “special interest”—corporations—but develop bigger ideas. Baroody “understood,” as Sidney Blumenthal explained in *The Rise of the Counter-Establishment*, “that without conservative theory there could be no conservative movement.” Baroody forged alliances with the Goldwater campaign quietly, behind the scenes. He focused on long-term goals so that, when the excesses of the '60s erupted, there was a place neoconservative intellectuals could go to develop their ideas during the '70s. The AEI articulated both

Reich's *The Greening of America*. Read even the otherwise smart Susan Sontag, who praises the worst elements of Third World revolutions in *Styles of Radical Will* (she later stood down from many of those positions). All of these books reflect a utopian hallucination not dissimilar from the style of protests on the streets of Chicago in 1968.

Younger thinkers today are going further back than the '60s to rediscover good ideas. It's been the Cold War liberalism of the '40s and '50s that has garnered the most interest. Books like Arthur M. Schlesinger Jr.'s *The Vital Center* or Niebuhr's *The Irony of American History* or John Kenneth Galbraith's *American Capitalism* seem much more interesting than *The Making of a Counter Culture*. There's good reason for this, because though we might feel closer to the '60s chronologically, our own age is much more parallel to the '40s. Then, as now, liberals faced an international enemy—Niebuhr's “children of darkness”—willing to murder for salvation. Then, as now, liberals confronted conservatives who entertained dangerous ideas of launching preemptive wars abroad while slashing social programs at home. And, if we take the '48ers up to 1952 and the election of JFK in 1960, then, as now, liberals were often an opposition party.

The '48ers knew they had to articulate a public philosophy, the way conservatives would later. They sketched out broad principles that transcended liberal interest groups. Those principles grew out of their faith in the American nation as a community of citizens sharing mutual obligations to one another—the sort that they saw during World War II and that they hoped could

The '48ers articulated a public philosophy that grew out of their faith in the American nation as a community of citizens sharing obligations.

particular public policies and a broader philosophy of the free market—something that undergirds conservative political action today. And, of course, it provided a model for other conservative think tanks during the '70s.

The power of YAF, grass-roots networks, and think tanks like the AEI show that the right focused its energy on infrastructure and ideas during a time when the left focused on protest. The right's tactics weren't loud or theatrical. Its activists operated under the radar to lay the groundwork. They worked almost entirely within the system, changing the Republican Party from moderate to conservative precinct by precinct. And their story challenges the left-wing narrative of idealism during the decade. That's precisely why it should inform the way liberals think about the future. To win real power, liberals need to think about infrastructure, institutions, and ideas. And they're not going to get these if they look to the late '60s for inspiration.

THE SPIRIT OF 1948: NEW IDEAS IN THE OLD

This is especially true for ideas. Who now reads left-wing books from 1968? Just try Hoffman's *Revolution for the Hell of It* or *Woodstock Nation*. Or try Theodore Roszak's *The Making of a Counter Culture*, a puff piece about the “non-intellective” exploration of “visionary splendor” and “human communion.” Or read the prognostication of “revolution” of “consciousness” in Charles

live on afterward. The ideas of national greatness and patriotism grounded their political thought. They upheld a public purpose that highlighted the weaknesses of the libertarian right and led them to criticize the “social imbalance” of a society enamored of consumerism and markets, and not America's civic fabric. Politically, they supported the idea of a “pluralist” government with many voices participating, not just those of business and privilege. They wanted influence on the inside, not protest from the outside. In *The Vital Center*, Schlesinger wrote, “Our democratic tradition has been at its best an activist tradition. It has found its fulfillment, not in complaint or in escapism, but in responsibility and decision.”

The '48ers, so far as I know, never marched against American actions abroad. What they did do was construct a framework for a liberal foreign policy, a robust alternative to conservative emphasis on military action and “rolling back” the enemy. The idea of containment was not simply a doctrine of realism but a moral disposition toward the demands of national power. America certainly had a strong role to play abroad, the '48ers argued, but it had to do so with a sense of “humility.” So, for instance, Niebuhr, drawing upon Christian ethics (not yet the sole property of the right), argued against “preventive war.” Those who articulated such an idea “assume a prescience about the future which no man or nation possesses.” He went on to explain, “We would, I think, have a better chance of success in our struggle

against a fanatical foe if we were less sure of our purity and virtue." Learning this lesson required America to work with others to "reconstruct" poorer economies as much as engage with military power. This was to be a war of ideas as well as guns.

These thinkers didn't just think; they put ideas into action. They attended international conferences of the Congress for Cultural Freedom, where they argued that America stood for more than a prosperous consumer economy. (Richard Nixon had made this assertion to Nikita Khrushchev in 1959, displaying a gleaming American kitchen to the Soviet leader at an exhibition fair; Galbraith chided Nixon's equation of democracy with consumer triumph as a "simple-minded and mechanical view of man and his liberties.") The '48ers also befriended politicians. Unlike our own age, when politicians hire overpaid consultants with few ideas, during the '50s, politicians turned to intellectuals. In 1953, Galbraith formed the Finletter Group, which collected papers on topics by scholars and writers, crafted speeches, and found ways to have ideas inform public debate. Most famously, Americans for Democratic Action became an organizational forum where intellectuals and politicians could formulate foreign and domestic policy together. In this and other ways, they found outlets for ideas that could become a source of opposition as well as inspiration.

These strengths shouldn't allow us to ignore their limitations. These thinkers took things for granted, including their privileged status as white, highly educated men. They sometimes had a hard time accepting the activism of the '60s, and they were slow to see how their own anti-communism, legitimate

though it was, could descend ineluctably into the disaster of Vietnam. Their experience of the staid 1950s, when bureaucratic corporations accustomed themselves to the welfare state, made them take Keynesian policies for granted. In going back to these thinkers, we need not romanticize them. Indeed, one of their central weaknesses, taking the welfare state for granted, should inspire our thinking today.

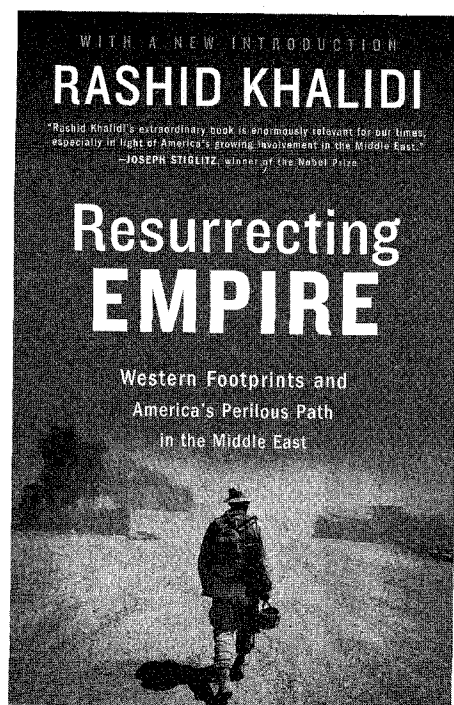
THE PAST'S LESSONS FOR THE FUTURE

This quick tour through postwar history gets us closer to what it means to be an opposition party today. First, we need to question the legacy of protest politics and political theater, which makes activists feel good but alienates and confuses others. We need to build a grass-roots infrastructure, like that developed by the right. We should also start reconstructing liberalism by going deeper into the past, while recognizing the limits any set of ideas from the past naturally have. These are some good first steps to take, but obviously they are just the beginning, and mostly about looking backward, not forward.

If we take these lessons seriously, our biggest challenge moving ahead is how to articulate our opposition to the right's well-developed agenda while simultaneously developing a public philosophy like that of the '48ers. The need for this became abundantly clear in the last presidential election. John Kerry lost because Americans didn't understand what he stood for. They understood him as an opposition candidate but not as someone who had "values" that could be articulated and explained. This wasn't just Kerry's problem; it is the problem of liberalism

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generally. The public perceives liberalism negatively, due to the long war the right waged against it from the 1960s onward. Unlike the '48ers, we cannot assume that our ideas resonate; we need to *make them* resonate.

To rearticulate liberal ideals while acting in opposition is not as hard as first appears. Take Social Security. Clearly, Bush is surprised by the backlash against privatization, as he scrambles around the country garnering support. This appears a dream come true for progressives, but it's much more. It's a challenge to articulate not just opposition but a public philosophy that can explain what liberals stand for. We shouldn't defend a program inherited from the New Deal in a rearguard fashion but should reiterate the idea of a shared national purpose based on collective sacrifice.

Nor should we turn this into a demographic issue and bank on the elderly supporting Democrats; that's interest-group politics, not a long-range public philosophy. We need to explain what Social Security teaches the nation about deeper principles. Why do Americans react against the term "privatize"? Because there is still a sense of shared obligation to one another, and it's up to liberals to articulate that public philosophy while they oppose the president. We can show how the president's proposal reflects the "social imbalance" the '48ers perceived, the elevation of the self's interest above the common good. None of this requires protest. It requires public argument. The time for protest may come, but it will undoubtedly rely on a change of leadership first and serious thinking about strategy later.

The same needs to be done on foreign policy. It's not good enough to protest the Iraq War. Occasionally, Kerry articulated an alternative, albeit muted, to Bush's foreign policy that embraced the '48er idea of national humility and a critique of hubris. Today, we need to articulate this liberal foreign policy more forcefully. Its central message should be that American responsibility abroad shouldn't rely on guns alone or a sense of superior moral virtue. Liberals should argue for nurturing civil society and democratic institutions throughout the world, envisioning an equivalent of the Marshall Plan for the Middle East and elsewhere. Liberals need to emphasize that the war against terrorism is a war of ideas as much as a war of military power and intelligence. Like the '48ers, liberal intellectuals should define America abroad as more than just its well-known Hollywood films. We need not allow Bush to expropriate the rhetoric of democracy and freedom; we need to reshape these ideas in a more responsible and meaningful manner.

Liberals must also talk about shared sacrifice during wartime. This shouldn't be about getting the military vote, even if that wouldn't hurt. The tradition of national greatness expects shared sacrifice from all members of our society. As JFK quipped, "Ask what you can do for your country." Only liberals will make it clear that the wealthiest elements of society should provide for the common good, so that we have enough to pay veterans' benefits and provide other services. None of this will come from protest marches against the war, which to date have accomplished little more—as unfair as this might seem—than to permit the partisans of the right to raise questions about the left's patriotism.

The problem with what I outline here is the lack of places

to build articulate ideas and have them inform the thinking of Democratic politicians. Now is certainly the time for progressives to invest in building an infrastructure—the only alternative to spasmodic protests in the streets. The term "progressive infrastructure" seems to spark interest among some funders today, especially considering how the quickie infrastructure built in 2004—notably America Coming Together—didn't quite do the trick. It's time for institutions that can approximate what Americans for Democratic Action did during the Cold War—provide a space where thinkers and politicians meet—and build local networks. Of course, this requires that Democratic politicians stop relying so heavily on overpaid consultants, and that wealthier progressives pony up money for institutions without immediate impact.

This leaves open the question of how to relate to the "actually existing" protest left today. The '48er spirit was recently invoked to call for a purge of the protest wing of the left today. Writing in *The New Republic*, Peter Beinart suggested that MoveOn should be pushed out of a more responsible left. While I think MoveOn deserves criticism for its pacifism and teaming up with hard-left dinosaurs like ANSWER, it doesn't merit a purge (purge from what, exactly?). What MoveOn needs is an articulation of the principle of "responsibility" that Schlesinger set out against the spirit of alienated protest. There's reason for hope on this front. After all, *Mother Jones* described MoveOn's young leader, Eli Pariser, as a "scruffy indie-rock fan who not long ago was chanting anti-globalization slogans and confronting riot police at World Bank meetings." At one anti-International Monetary Fund protest, though, he talked with police and, in his own words, "realized that the scripted confrontation of attacking and antagonizing them wasn't going to get us anywhere. It changed the way I was thinking, tactically." This idea of laying groundwork for an infrastructure also came out in MoveOn's work during the last election; it didn't succeed, but with a little help from a stronger intellectual infrastructure in the future, it might.

My tempered hope about this comes from a sense of urgency about the Bush administration. Such a sense threatens to degenerate into protest theatrics and expressive anti-politics. Instead of embracing those styles from the past, liberals should take their lessons from the right during the 1960s. Liberals will never be as powerful as the right. That's not just because the right is richer but because the liberal faith is, by definition, weaker. Unlike evangelical Christianity, liberalism can never provide absolute zeal or commitment. We can draw some inspiration from the "fighting faith" of the '48ers' liberalism, but we also face challenges that they never faced, especially the infrastructure the right has built over the last few decades. With this said, liberals don't need to be as weak as they are now. We need not recycle protest and alienation from the past. Liberals have been in the opposition before, and they've managed to win back political power. But it took care and precision and some serious thinking about strategy. That's our charge today. **TAP**

Kevin Mattson teaches American history at Ohio University and is the author, most recently, of *When America Was Great: The Fighting Faith of Postwar Liberalism*.

Blog Rolled

That most bloggers are not journalists is a given. That some are trained partisan operatives out to take scalps is not.

BY GARANCE FRANKE-RUTA

DURING ONE ESPECIALLY HECTIC WEEK IN MID-February, the Internet took three scalps in what appeared to be unrelated events. Liberal bloggers forced Talon News White House correspondent James D. Guckert, a.k.a. "Jeff Gannon," to resign after it was revealed that he was writing under a false name for a Republican activist group (GOPUSA), that he was not really a journalist at all, and that he had posed nude on the Internet in an effort to solicit sex for money. Conservative bloggers, meanwhile, created a firestorm after Eason Jordan, the chief news executive for CNN, made controversial remarks during an off-the-record panel discussion at the World Economic Forum in Davos, Switzerland, suggesting that the U.S. military had targeted journalists in war zones. Jordan was forced to resign. Finally, in Maryland, Joseph Steffen, a longtime aide to Republican Governor Robert Ehrlich, was fired after reporters exposed him as the author of e-mails and anonymous Web-site postings encouraging rumors about the marriage of Baltimore's popular mayor, Martin O'Malley, a potential '06 challenger to Ehrlich.

All unrelated stories, except for the Internet angle, right? Well, no. Scratch the surface and the same names turn up in each scandal, revealing the events of mid-February to have been part of an ongoing and coordinated proxy war by Republican political operatives on the so-called liberal media, conducted through the vast, unmonitored loophole of the Internet.

"Are bloggers journalists?" is a question that's been kicking around for a few years, and both bloggers and journalists answer it by saying no. Journalists insist on the distinction because most bloggers don't do original reporting or double-check information for its accuracy. Bloggers, for their part, often see themselves as polemicists and activists and chafe at being held to journalistic standards.

But these three episodes—combined with last year's Dan Rather controversy, when conservative bloggers contributed mightily to the CBS anchor's downfall—still represent something new. Not only are most bloggers not journalists; increasingly they are also partisan operatives whose agendas are as ideological as they come. Using the cover of anonymity (many bloggers use pseudonyms), the cacophony of the relatively new medium,



Blogged Down: Eason Jordan in Davos, Switzerland, January 27, 2005

and the easily inflamed passions of the Web, these partisan political operatives are becoming experts at stirring up hornets' nests of angry e-mails to editors, mounting campaigns to force advertisers to pull out of news shows, and, most disturbingly, spreading outright false information. The irony is that, at the same time this is happening, many in the mainstream media have decided it's finally time to take bloggers seriously. But people who blog about politics and journalism aren't just a 21st-century media story; they're part of an ongoing political story with roots stretching back more than 40 years.

BLOGGING BEGAN AROUND 1998, AND SLOWLY: ONLY 23 blogs were known to exist at the beginning of 1999. The practice really took off later that year, after several software programs were developed for the express purpose of setting up Web logs (aka blogs), allowing even technophobes and Luddites to enter the fray. For blogs devoted specifically to politics, September 11 was—as in so many other matters—a turning point, with political blogs proliferating throughout 2002. The first prominent ones were operated by independent actors—citizen-bloggers, if you will, indebted to no one and out to satisfy nothing more than their own creative urges. The medium,

it turned out, filled a need, creating echo chambers and communities of the like-minded on both the left and the right, which felt that the mainstream media were biased against them.

But success bred change. Along has come a new group of bloggers who aren't mere "citizens" at all. On the left side, some of these became deeply enmeshed with political parties, "527s," and campaign advocacy groups—and are now a new generation of no-holds-barred partisans and major party fund-raisers, the liberal equivalent of George W. Bush's "Rangers" and "Pioneers." On the right, a number of these bloggers were already political operatives or worked at long-standing movement institutions before taking up residence online. They are, at best, the intellectual heirs of L. Brent Bozell of the Media Research Center and Reed Irvine, who founded the ultraconservative, media-hounding nonprofit organization Accuracy In Media (AIM) in 1969 as part of the first generation of post-Barry Goldwater right-wing institutions. At worst, they're the protégés of conservative fundraiser Richard Viguerie and dirty-tricks master Morton Blackwell, who has tutored conservative activists since 1965, most recently mocking John Kerry at the Republican national convention by distributing Band-Aids with purple hearts on them.

A Democratic consultant who went incognito to attend a recent seminar given by Mike Krempasky told me, "We're definitely in serious trouble."

Which brings us back to Jordan. He was brought down not by outraged citizen-bloggers but by a mix of GOP operatives and military conservatives. Easongate, the blog that served as the clearinghouse for the attack on CNN, was helped along by Virginia-based Republican operative Mike Krempasky. From May 1999 through August 2003, Krempasky worked for Blackwell as the graduate development director of the Leadership Institute, an Arlington, Virginia-based school for conservative leaders founded by Blackwell in 1979. The institute is the organization that had provided "Gannon" with his sole media credential before he became a White House correspondent. It also now operates "Internet Activist Schools" designed to teach conservatives how to engage in "guerilla Internet activism."

Indeed, Krempasky could be found teaching this Internet activism course one recent February weekend to about 30 young conservatives at the Conservative Political Action Conference (CPAC) in Washington. "He advocated that people write from their experience—and not necessarily as conservatives," a Democratic consultant who attended the seminar incognito told me. For example, Krempasky told "a conservative firefighter" that he should write about firefighting because that would be of interest to readers. Using that angle, he could build an audience. And if push ever came to shove, he could respond to an online dogfight from the unassailable position of being a firefighter—and not as just another conservative ideologue. Krempasky then offered to help all the attendees set up their own blogs. "We're definitely

in serious trouble," said the Democratic attendee.

The tactics Krempasky promotes are directly descended from those advocated by the late Reed Irvine of AIM, whose major funder was, for the past two decades, Richard Mellon Scaife. "Many bloggers and blog readers might not even know who Reed Irvine was, nor understand the debt we owe him as conservatives," Krempasky wrote upon Irvine's passing last year. "But that debt is tremendous." In the late '80s, Irvine had started the campaign to "Can Dan" Rather, coining the phrase "Rather Biased," which became a rallying cry for anti-Rather bloggers. Last fall, Krempasky operated the main anti-Rather site, Rathergate.com, and organized a vast letter-writing and e-mailing campaign "to contact CBS and express themselves," as he put it in an interview with Bobby Eberle of GOPUSA, an activist Web site founded by Texas Republicans and merged with one owned by Bruce Eberle (no relation), the proprietor of a conservative direct-mail firm. "Conservatives have operated through alternative media for 40 years, direct mail being the first one," Krempasky told me, sitting in the food court of the Ronald Reagan International Building as the CPAC wound down. "As far as the Internet goes, conservatives have largely been ahead of the left."

Also part of the Easongate.com team was La Shawn Barber, who writes a bi-weekly column for—again, the name pops up—GOPUSA and has written for AIM about "the Bush-bashing media." Working alongside Krempasky and Barber was another site, RedState.org, "a Republican community weblog" registered with the Federal Election Commission as a 527. Krempasky

helped found that site along with Senate staffer Ben Domenech, the chief speechwriter for Bush ally and Texas Senator John Cornyn; and former U.S. Army officer Josh Trevino, a conservative blogger who used to write under the name "Tacitus." The goal of RedState.org? "[T]o unite ... voices from government, politics, activism, civil society, and journalism" in service of the "construction of a Republican majority."

Power Line, another conservative blog deeply involved in the Rather controversy, helped push the Jordan story as well. Described by *Time* magazine as "three amateur journalists working in a homegrown online medium [who] challenged a network news legend and won," Power Line was voted *Time's* "2004 Blog of the Year." In reality, its three writers are all fellows at the conservative Claremont Institute who attended Dartmouth College in the early 1970s and now work as attorneys; two of them have been writing articles as a team for conservative publications such as the *National Review* and *The American Enterprise* for more than 10 years.

Certainly there were some citizen-bloggers involved in the anti-Jordan effort. Easongate founder Bill Roggio, 35, is a computer-software analyst in Medford, New Jersey. His blog, The Fourth Rail, demanded that CNN release the video- or audiotape of Jordan's comments in Davos. Roggio started Easongate.com on Saturday, February 5, with a couple of right-wing and military blogosphere buddies, Michigan-based Brian Scott (of The Blue State Conservatives) and Josh Manchester (of The

Adventures of Chester). Like Roggio, Manchester served in the military, leaving active duty as a U.S. Marine only recently. Scott, a Republican and member of Right to Life of Michigan, started his blog to further his dreams of becoming a conservative talk-radio personality.

As Easongate got cooking, the trio quickly reached out to “Blackfive,” a former paratrooper and prominent military blogger in Chicago who declined, in an e-mail interview, to reveal his surname (his first name is Matt). Blackfive brought in Cheryl, a 48-year-old advertising sales representative from southern California who asked me not to use her last name; she gave the group pro bono marketing services and helped to set up a database of CNN advertisers to be contacted. The team even tried to get an active-duty military officer to join their clique. The officer declined.

Jordan had made his comments more than a week before Easongate went live and, by all accounts, quickly backtracked at the panel when pressed. But the next day, January 28, Rony Abovitz, a blogger brought on by the World Economic Forum and, according to a later report in the *Guardian*, “one of those conservative online activists who believe the internet is an opportunity to balance what they see as media pro-liberal bias,” posted an item on the forum’s blog demanding that the two members of Congress who had been in Davos press Jordan on his remarks. The demand percolated throughout the conservative U.S. blogosphere as concern grew, and conservative talk-radio host, *Weekly Standard* writer, and blogger Hugh Hewitt added fuel to the fire by mentioning the controversy on cable television.

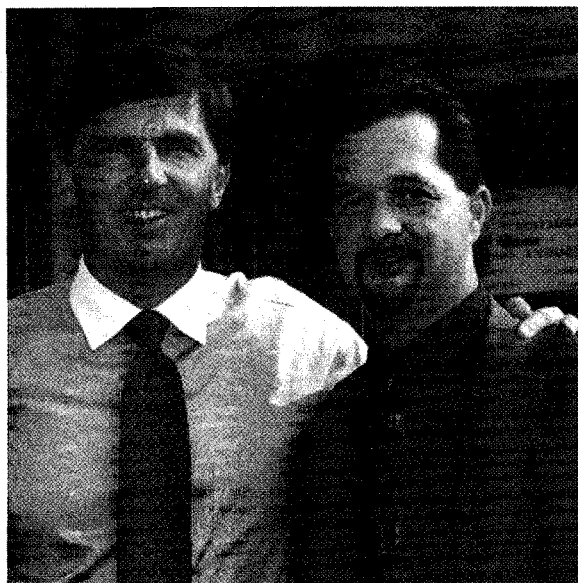
During the week that Roggio’s site was active, it launched a petition, turned readers into letter writers to CNN, worked the phones urging contacts in the military and government to call CNN, and generally acted as a clearinghouse for information on Jordan. Just as it was about to start a wholesale assault on CNN’s advertisers, Jordan caved. “I have never worked with a more cohesive, like-minded group of individuals in my entire life,” wrote Scott after Jordan resigned. “Without people like Cheryl, ... Blackfive and his contacts, ... La Shawn Barber and her writing prowess, and the advice of Mike Krempasky, we would not have succeeded.”

STEFFEN’S SLIME

Joseph Steffen’s online mudslinging toward Mayor O’Malley followed a more old-fashioned strategy. Steffen, a political operative who called himself the “Prince of Darkness,” was fired from Governor Ehrlich’s administration for planting salacious rumors on the Internet in August and October 2004 about a fictional affair between O’Malley and an African-American TV journalist. Steffen’s narrative is simpler, but connections to

the same Republican operatives abound.

After Steffen, writing under the handle “ncpac,” seeded clues to the anchorwoman’s identity on a FreeRepublic.com thread, other conservative bloggers posted pictures of the reporter’s face online, defaming her as well as O’Malley. The rumors swirled in Annapolis, Maryland’s capitol, for 18 months before the story broke into the open on February 9, a day after a real reporter, from *The Washington Post*, confronted Steffen with the FreeRepublic postings. According to a profile in *The (Baltimore) Sun*, Steffen today is the sort of man who prefers “to wear dark clothing and work behind closed doors, with the lights off” and writes “horror and science fiction stories” in his spare time. But in 1985, Steffen worked on a campaign by Viguerie, Krempasky’s current employer, for the lieutenant governorship of Virginia. Further, Steffen’s ncpac handle was short for the National Conservative Political Action Committee (NCPAC), a powerful ultraconservative group that viciously targeted Democratic lawmakers through an electoral “hit list” in the early ’80s. “Groups like ours are potentially very dangerous to the political process,” NCPAC’s founder, Terry Dolan, told the *Post* in 1980. “A group like ours could lie through its teeth and the candidate it helps stays clean.” Steffen was the group’s spokesman before joining Viguerie’s campaign.



Prince of Darkness: Joseph Steffen (right) with Governor Ehrlich

The historical ties connect not only Steffen’s self-destruction and the Jordan takedown but the Gannon scandal as well. GOP operative Blackwell, whose Leadership Institute trained Gannon and employed Krempasky, worked for The Viguerie Company from 1972 to 1979; previously, Blackwell trained a generation of young political operatives in the black arts of politics as the executive director of the College Republican National Committee.

Now a new generation is carrying on the work that these men started. The day Jordan resigned, Krempasky joined the online liberal discussion group Personal Democracy Forum, under the category, “The Dark Side,” to discuss the new potential of online “Open Source Opposition Research.” A sample:

In the wake of the Dan Rather affair and the Jeff Gannon/James Guckert story—political campaigns should take notice—you cannot and will not hide anything anymore. You cannot assume that your opponent simply won’t find that embarrassing picture or boneheaded quote from the bombastic column you wrote in college—and the most important part? Your opponent won’t have to dig it up themselves. If they have even a semblance of a net-roots community close to them, the enterprising Googler will ferret it out, just for fun.

That warning came to fruition just days later, in the Gannon affair.

UNRAVELING L'AFFAIR GANNON

While conservatives have created an online echo chamber in part to further their decades-long assault on the mainstream media, liberals have begun using the new medium to pursue and unravel these conservative connections. "When you read in the mainstream press stories about the blogosphere, there are some things that come up over and over," says Kevin Drum, who writes the Political Animal blog for the liberal *Washington Monthly* magazine. "It's about hounding someone out of their jobs."

The Gannon scalping is different from the Jordan and Rather controversies in two very important ways. First, whereas the conservative bloggers were out to destroy journalists with distinguished careers who'd made serious missteps, the liberal bloggers on Gannon's trail were seeking to expose an out-and-out fraud. Second, while some of the conservative bloggers going after Jordan and Rather were mistaken for regular citizens by the mainstream media, the liberal bloggers were very much out in the open.

But "Gannongate," too, has ties to political operatives. The story was sparked by Democratic congressional aides, who complained to their friends in the liberal blogosphere on January 26 about the "Talon News guy" who, in a question to the president in the White House press conference that morning, had falsely accused new Senate Minority Leader Harry Reid of "talking about soup lines" and said Democrats "seem to have divorced themselves from reality."

The progressive watchdog group Media Matters for America, run by former conservative activist and *American Spectator* writer David Brock, jumped on the story after Rush Limbaugh boasted that he'd been the source for Gannon's claims about the Democrats. The group sent out a release asking questions about Gannon and Talon News. "I was interested in the way information or misinformation can move from a completely irresponsible source into the White House press room," says Brock. "And obviously I've had my own experiences with conservative movement entities masquerading as journalistic institutions."

Susan Gardner, 46, a mother of four and former editor of now-defunct community paper the *Sun City News* in Santa Barbara, California, read about Gannon on the liberal blogosphere, including a tip that Gannon was not the Talon reporter's real name. Gardner recalled seeing the Talon News name in a story about journalists subpoenaed in the Valerie Plame case. On January 28, writing online as "SusanG," she posted a question on the "Diaries" section of Daily Kos, the widely read liberal blog run by Markos Moulitsas Zuniga, now also a major Democratic fund-raiser. Gardner's question: "Did the White House dribble the Plame leak through its own fake mouthpiece news source?" When she got flooded with more than 500 replies, she quickly organized the volunteer reader-researchers adding facts to the story into an organized team.

Brian Kelly, a 52-year-old actor in upstate New York best known for his starring role in a Kentucky Fried Chicken commercial in the '90s, became Gardner's partner, writing as "NYBri." (Kelly had previously volunteered on the John Kerry and Howard Dean campaigns.) The two deputized hundreds of research assistants and co-reporters, made assignments, confirmed facts,

and dug through the Internet's vast array of electronic records, posting new tidbits of information until other blogs and mainstream outlets picked up the story.

The narrative got pushed into sexual territory by John Aravosis, a gay-rights activist who worked as a legislative aide for Republican Senator Ted Stevens from 1989 to 1994. Aravosis has recently been conducting a wide-ranging outing campaign against gay Republicans. He wrote about the suggestive domain names Gannon had registered; after Gannon claimed on television that he'd registered them for someone else, Aravosis posted Gannon's gay-escort Web-site pictures, which had been given to him by the man who'd built Web sites for Gannon. When writers at the daily Washington-insider newsletter *The Hotline* started to tut-tut over this, Aravosis wrote, "Spare me your sanctimonious bullshit now that those of us in the gay community and on the left have finally—finally—started to fight fire with fire."

Meanwhile, another former Republican, Karl Frisch, 26—better known as "Carl with a K," his Internet handle while working for the Dean campaign in '03—pushed the story from Capitol Hill, where he works as a spokesman for Representative Louise Slaughter on the House Rules Committee. Slaughter demanded answers from the White House on Gannon and, along with Representative John Conyers, is awaiting the results of a Freedom of Information Act request demanding Gannon's security-clearance records. The Hill team has tried to keep the focus on the questions of media bias and security in the White House, finding that the sex angle scared off Democratic legislators. "They make you give back your dirty-tricks kit when you leave the Republican Party," quipped Frisch.

But there's another key difference between the effort against Gannon and conservative blog firestorms: The targets of the liberal blogosphere are conservative activists; the target of the conservative blogosphere is the free and independent press itself, just as it has been for conservative activists since the '60s. For the Republican Party, pseudo-journalism Internet sites and the blogosphere are just another way to get around "the filter," as Bush has dubbed the mainstream media. "One of the things that I think the blog world offers is an opportunity to provide another source of information," said Republican National Committee Chairman Ken Mehlman on CNN's *Inside Politics* in February. Blogs are "something we encourage supporters of the president and Republicans to be very much involved in."

"The way I look at this," says Daily Kos' Gardner, "[Gannon] is just one more piece to a bigger puzzle that we've seen for the past couple months—attempts by the Republican media complex not necessarily to fight the media but to become the media."

But unlike traditional news outlets, right-wing blogs openly shill, fund raise, plot, and organize massive activist campaigns on behalf of partisan institutions and constituencies; they also increasingly provide cover for professional operatives to conduct traditional politics by other means—including campaigning against the established media. And instead of taking these bloggers for the political activists they are, all too often the established press has accepted their claims of being a new form of journalism. This will have to change—or it will prove serious journalism's undoing. **TAP**

Two If By Sea

The port complex of Los Angeles is America's umbilical cord to world trade. And it's still an open bull's-eye.

BY JAMES VERINI

LAST OCTOBER, OSAMA BIN LADEN RELEASED HIS first videotaped message in nearly three years. It was lengthier than anything he'd sent out for a while because he got wrapped up in business talk. "So we are continuing this policy in bleeding America to the point of bankruptcy," he said, quoting the British Royal Institute of International Affairs to point out that in the September 11 attacks, "Every dollar of al-Qaeda defeated a million dollars by the permission of Allah, besides the loss of a huge number of jobs." He went on to ridicule America's deficits.

If you were an al-Qaeda cell member egged on by this, you would likely fantasize about the port complex of Los Angeles. It is, arguably, the single most attractive target for economic terrorism in the country. By volume, the two ports that comprise it—the Port of Los Angeles and the Port of Long Beach—are the third-busiest port in the world. A 20-minute drive south of downtown L.A., it is America's umbilical cord to world trade. An attack there would cripple the national economy instantly and send shockwaves the globe over. Even a sloppily planned incident would cost billions. And yet, more than three years after 9-11, after hundreds of millions of dollars spent on risk assessments and plans, the L.A. port is still, essentially, an open bull's-eye.

There are a number of effective ways to set upon it. You could smuggle in explosives, or even a radiological device, via a shipping container (they go for as little as \$3,000 to rent) or a bulk cargo boat, and detonate those with a cell phone; after all, only about 3 percent of containers are screened. You could sink or cripple a ship in the queue and clog the trade lanes. You could get your own boat (the explosives used in the 1998 African

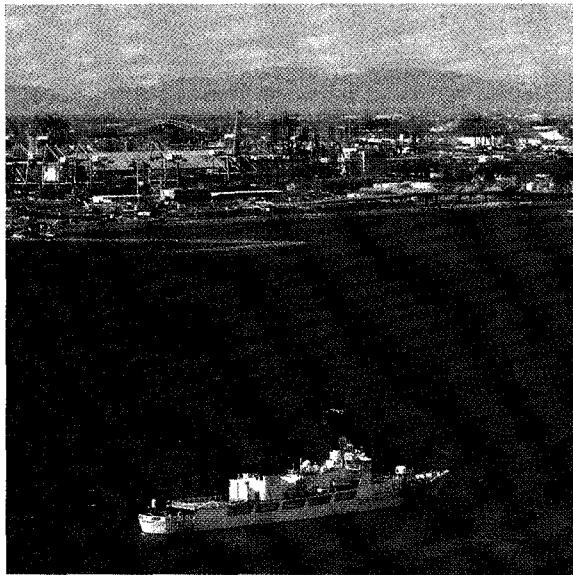
embassy bombings were delivered by an al-Qaeda ship) and try to ram it right into the port. You would get shot at, probably, but with the Coast Guard's radar bubble extending only 25 miles from the coast, and nothing like NORAD existing for the ocean, time would be on your side. (Last year, an alarm went up when three South Korean battle cruisers got within minutes of the port before being identified.) Or, with a gate pass and a driver's license, you could park an 18-wheeler loaded with a fertilizer bomb next

to a hazardous-materials container on a dock or one of the many open stretches of oil pipeline.

The green eyeshades at the Royal Institute would be impressed. The economic effects of such an attack could be spectacular and catastrophic. About 95 percent of all imports that come into the United States come by sea, and of those between 40 percent and 50 percent come through the L. A. port. Nearly half of the oil used in California, the world's fifth-largest economy, comes through the port. Eighteen thousand containers are unloaded there every day—6.5 million per year. Following a substantial attack, gas stations across southern California would likely run dry, and public transport would grind to a

halt. There would be a rush on consumer goods, which would soon run out. For lack of fuel and parts, industry across much of the American West would slow to a trickle, if not cease entirely. Within weeks, corporations would be restating earnings on a massive scale, and the stock market would get loopy. Global shipping would go into gridlock.

In November, a Department of Homeland Security-sponsored think tank at the University of Southern California estimated that a "high-end" attack would cost the national economy about \$35 billion. (By way of comparison, California's budget



Land Ho! About 18,000 containers are unloaded at the ports of Los Angeles and Long Beach every day.

last year was about \$99 billion.) A 2002 simulation put on by the Coast Guard and Customs and Border Protection placed the cost of a total American shipping shutdown at \$58 billion. But both of these may be low, considering that estimates for the dockworker strike that shut down the L.A. port in late 2002 were \$1 billion per day. The Brookings Institution has estimated that a weapon of mass destruction shipped by container would result in \$1 trillion taken out of the global economy.

The Bush administration has addressed these concerns, but inadequately. The Maritime Transportation Security Act, which President Bush signed in 2002 and which went into effect in July 2004, provided for a number of measures to secure the nation's ports and extended the reach of many of the not-always-cordial agencies in the Homeland Security Department into international shipping. It also put in charge the Coast Guard, previously the redheaded stepchild of the armed forces, which has concluded that the whole shebang, nationwide, will require an initial outlay of close to \$1 billion and \$535 million in annual recurring costs. But since 2002 the federal government has put up only about \$718 million (that would cover about four days of fighting in Iraq), only \$47 million of which was requested by the White House, which didn't ask for port-security funds until this year. The rest has been supplied by Congress. Aviation, by contrast, takes up 90 percent of the Transportation Security Administration's \$53 billion budget this year.

The Homeland Security Department higher-ups I talked to expressed assurance that the L.A. port is much safer now than it was three years ago, and that everything that can be done is being done. But many facts, and many people, controvert this. Speaking to maritime-security experts outside the administration, including senators, former and current Commerce Com-

plan, no plan of attack as to what we'd do if the ports shut down," said a congressional aide. "Given a well-planned scenario, Bush would have to shut down commerce completely."

But even supposing copious resources and cordial interagency cooperation, the L.A. port may be an example of how government could never work fast or well enough to thwart a willful terrorist. Where regulation is concerned, the ocean is a 17th-century place. Tracking down the real owner or country of origin, or even the route, of most ships is an uphill battle. Dummy companies abound. Cargo manifests are the commercial equivalent of Etch A Sketches. Surveilling the U.S. coastlines, much less the oceans, and keeping track of even a fraction of the 15,000,000 containers that move around the world each day are massive problems.

These threats are not mere speculation. Lloyd's of London estimates that al-Qaeda owns or has interests in at least a dozen ships. And in November 2003, the group's chief of naval operations, Abdulrahim Mohammed Abda Al-Nasheri (a.k.a. The Prince of the Sea)—who was responsible for planning the 2000 attack on the *USS Cole*—was arrested: He'd just dispatched a cell to Morocco to carry out foiled attacks on American and British naval ships in the Strait of Gibraltar.

MADE UP OF TWO COMPETING BUSINESS ENTITIES BE-
longing to two different cities, the L.A. port is a collision of contentious international trade relationships and rules. Ships coming from Rotterdam, Yokohama, Shanghai, Genoa, and dozens of other ports arrive by the hour. Companies from six continents operate in the port, and a dozen committees and 30 government agencies—including the Homeland Security Department, the Los Angeles Fire Department, the FBI, and the Long Beach K-9 unit—guard the port in some fashion.

In late November, I took a ride around the port on a 40-foot cutter with the Coast Guard, the new sheriff in town. As I stood next to a mounted M-60 machine gun, we sped through the 3,240-acre port, through a labyrinth of canals and islets, past 80 berths brimming with giant cranes, and by

massive container ships, their decks stacked six stories high with 20-ton cargo containers. They nominally came from Monrovia, Panama, Liberia, and Honduras, none of which, in all likelihood, had ever seen these particular boats; those countries are just common "flags of convenience." We passed oil refineries (there are four in the port complex), two of the port's five recreational marinas full of sailboats and motorboats, rail yards, scrap-metal dumps, piles of giant canisters of hazardous material, and a giant cruise-ship dock. We passed under three bridges and went by any number of tankers, barges, tugboats, and yachts. For an organization like al-Qaeda, enamored of using existing infrastructure to swell damage, it seemed a deck stacked with face cards.

"Now that's what I'd hit if I wanted to do something," said one of the officers. He was pointing to a liquefied petroleum gas pipeline. The gas is highly explosive, so much so that it isn't stored in tanks on the dock like oil but pumped directly from

Where regulation is concerned, the ocean is a 17th-century place. Tracking down the real owner or country of origin of most ships is an uphill battle.

mittee staffers, dockworkers, and scholars, one gets a picture that is downright bleak. The port is only slightly less porous and vulnerable than it was on 9-11, they say, and the Bush administration has no plan for stemming the economic hemorrhaging that would result after an attack.

"I am surprised there hasn't been another attack, and I would have thought it would have been maritime," said Carl Bentzel, a former maritime-security director for South Carolina Senator Fritz Hollings. Bentzel wrote much of the legislation that became the Maritime Transportation Security Act under Hollings, who retired this year and was replaced as ranking Democrat on the Commerce Committee by Senator Daniel Inouye of Hawaii, who is about to introduce legislation that would focus attention on the matter. "It's just so easy. You can get a ship from anywhere in the world into our ports." Bentzel called the federal measures taken so far "baby steps." "There is no contingency response

special tankers to storage tanks inland. In 2002, terrorists rammed a mostly empty liquefied petroleum gas tanker into a French tanker off Yemen, blowing a 10-yard-wide hole in the ship and killing a crewmember. "You could take out a few blocks with that stuff," the officer said.

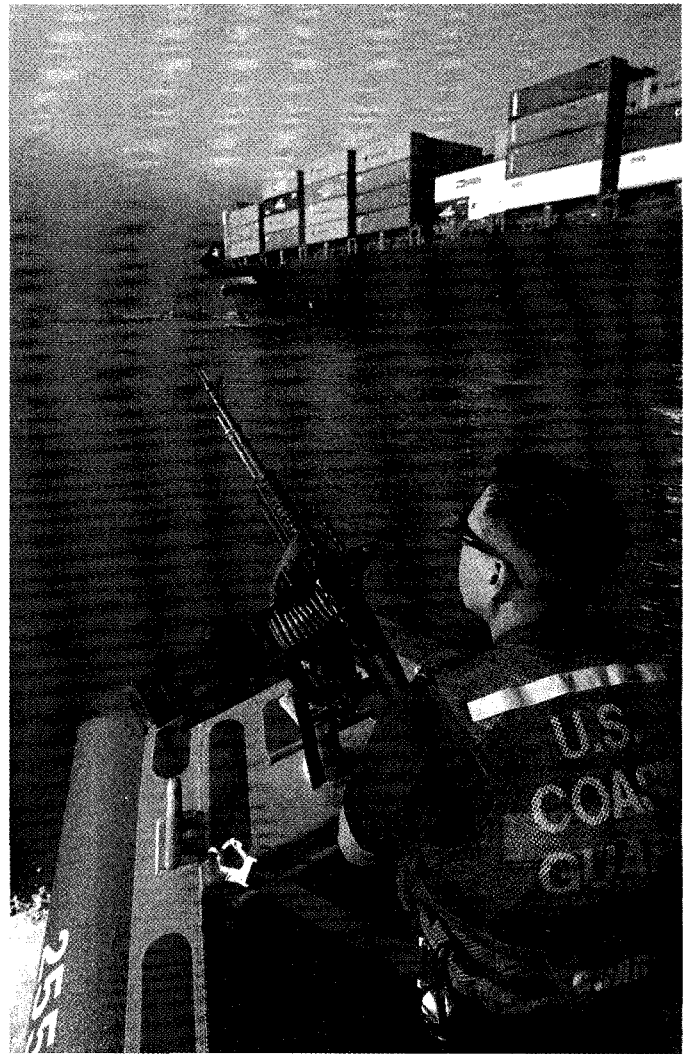
Directly alongside the port, sprawling up a hill, we could see San Pedro, a quiet city of two-story family houses and a small downtown where most of the 15,000 dockworkers who come to the port every day live. Flanking the port to the south is the larger, tonier Long Beach, a city of 430,000 with palm-tree-lined avenues of office buildings and a thriving waterfront.

After the cutter tour, I visited John Heinrich in his large, airy office overlooking downtown Long Beach. Heinrich is the chief federal official at the port, overseeing it and Los Angeles International Airport for Customs and Border Protection (formerly the Customs Bureau, which was folded into the Homeland Security Department, as was the Coast Guard, in 2003). An imposing, heavy-featured man, he has a staff of 16,000. Like many security wonks these days, he talks not about individual devices but about "layers"—a layered approach of software and fences, tracking systems and patrols, the accumulation of which security planners hope will thwart an attack.

"After 9-11, security consumed us," he told me. "I can remember the late nights, the weekends. We were obsessed." Heinrich was one of the people charged with developing a years-long game plan for improving maritime security. He said there were four goals in mind. First, push the borders out, identify threats overseas, in their ports of origin or on a ship. Second, develop a system of advance information. Third, improve technology—implement scanners; get software that can help identify problematic ports, ships, and companies; and introduce an identification-card system for the dockworkers. And finally, Heinrich said, layers. The hope is that when the terrorist does his homework, or tries to carry out his plan, the layers will discourage him.

As a Homeland Security Department pooh-bah, Heinrich was unfailingly crisp and optimistic, listing the myriad nifty-sounding programs that the Maritime Transportation Security Act has helped set up. "We still have a long way to go," he admitted, but insisted that he's witnessed 15 years worth of change in three years. "We're running a marathon at a sprinter's pace." (For Heinrich, the race is almost over; he was scheduled to retire in March.)

The man on the ground—and in the water—making sure this all works is Coast Guard Captain Peter Neffenger. Neffenger is a slight man, exceedingly friendly with a bit of a nervous air. He seems more like a computer enthusiast than sailor. A 20-year veteran of the Coast Guard, he took the helm in L.A. early last year. It's a daunting position: Not only does he have to keep an eye on 320 miles of coastline and 64,000 square miles of ocean, he is also the area maritime-security director, which means that he is responsible for developing plans to secure the port and for negotiating between every committee, community group, terminal operator, shipping company, oil concern, importer, and exporter. He also has to deal with one of the biggest and proudest unions in the country, the International Longshoremen and



Top Gun: The Coast Guard, once a stepchild, now leads port-security efforts.

Warehouse Union (ILWU), and with some of the biggest companies in the world, like Wal-Mart. Then there are the government agencies: Customs, the FBI, the CIA, the Transportation Security Administration, the Department of Defense, the Office for Domestic Preparedness, and the Defense Threat Reduction Agency, to name but a few. And that's to say nothing of the congressional aides and city councilors.

When I went to see him at Coast Guard headquarters, I asked Neffenger how far along he was toward realizing his vision of a secure port. He estimated between 30 percent and 40 percent. "We're still in the infancy of building a secure environment," he said. "Are containers the way something would come in? Logic says they are. But I don't know. We have to study the system. ... We're trying to turn a culture of compliance into a culture of active security."

THE RHETORICAL CENTERPIECE OF THE BUSH ADMINISTRATION's war on terrorism—and Heinrich and Neffenger have been good envoys of this message—has been that "the best defense is a good offense." But the open secret among maritime-security people is that, even with great systems, trying to track down individual threats moving by ship is a losing

proposition. One of the programs Heinrich touted to me was the International Port Security Program, which requires 8,000 foreign ports and 22,500 ships that want to trade with the United States to write security plans and submit to inspections. But only half of foreign ports and ships met the July 1, 2004, deadline to comply. What's more, this program, like almost all of the major security programs, relies on the "trusted agent premise"—essentially, the honor system. Foreign ports and ships can submit as many completed forms as they like. That doesn't mean they're living up to them. They risk fines and being turned away from U.S. ports, but in order for that to happen, they'd have to be inspected, and with thousands of ports and ships, and Customs bodies scarce, the chances of that happening are slim.

The same problem goes for the Container Security Initiative, which sends Customs inspectors to foreign ports, and the Customs-Trade Partnership Against Terrorism, through which shippers and merchants can submit security plans to the United States and get certified as preferred partners—both programs Heinrich praised in our discussion. "It's a nice program," Bentzel said of the former. "But the problem is you send five Customs

a defense contractor to outfit the port with multimillion-dollar radioactive scanners. But a study released in 2004 by Stanford researcher Lawrence Wein and Stephen Flynn, a Coast Guard commander turned Council on Foreign Relations gadfly, showed that even if the port could afford to dot every berth with the best scanners, the Automated Tracking System and other programs are so impotent that the chances of detecting radiological material coming in are, at best, about 25 percent. And even if something is detected here, the fact remains that it would be, already, here. Customs has been encouraging foreign ports to install scanners, and in places like Singapore and Hong Kong they've been successful. But the globe is covered with ports in poor and developing countries for whom the idea of buying multimillion-dollar scanners from the United States is about as attractive as donating water pumps to Baghdad.

There's another, more abstract effort to deter terrorism that security folks focus on: public relations. And on this, also, the United States is not doing well. According to intelligence officials, al-Qaeda has abandoned potential targets in the past, determining that they would bounce back too well after an attack. To make such recovery more likely, in August the Coast Guard conducted a terrorism exercise called Operation Determined Promise. It simulated attacks on the ports of Los Angeles, Houston, and Richmond, Virginia, and involved all of the 30 or so agencies Neffenger deals with and 18,000 players. "The command and control structure needed to improve, we found," he said. "Would we be able to respond? Yes, but not well enough."

Just how not well enough was determined recently by a University of California, Los Angeles think tank set up by former L.A. Mayor Richard Riordan. A professor and her grad students found that the first responders at the port were prone to protecting their own turf or stepping on one another's toes; that inter-agency communications were bad to nonexistent; that hospitals, public-health officials, and the people who live in San Pedro and Long Beach are woefully underprepared and underinformed; and that not nearly enough money has been devoted to the problem. In scathing testimony given before Congress in June, ILWU security chief Mike Mitre reported in stark language that his constituents, the dockworkers, were unready for even a minor incident, and that the port was only slightly less porous than it was before 9-11.

The more foreboding question is the one of economic resilience. Analysts worry not so much about the attack as about the ripple effects: The absence of parts, oil, and raw materials could force businesses and factories to close, and millions of dollars of perishables would go bad; stock values would start plummeting; and ships would be sent away or stranded altogether because, in the event of an attack, the assumption would be that other ports would be attacked, too, and thus must be closed. The longer the closure, the worse the ripples. "After 9-11, the ports closed, but the Coast Guard had to let boats in to keep businesses running," says Bentzel. "It would be the great

The scenario that scares officials the most involves nuclear devices. In 2003, an ABC News team smuggled a suitcase of depleted uranium into the port undetected—even after it was screened.

agents to China—where they have no jurisdiction, they can't carry a gun, they have no authority—and they have to ask their counterparts over there to use their equipment. How much are they going to find? ... [I]f this is your law-enforcement plan, you're in trouble."

Another problematic program is the Automated Tracking System, run out of an undisclosed command center in northern Virginia, where information on cargo is fed through all sorts of whiz-bang algorithms. The problem isn't the software models; it's the information being fed in: Analysts are still relying primarily on ship manifests, say critics, which are fudged and forged all the time. Meanwhile, the Homeland Security Department's big hope for a tracking system for American coastlines and waterways (similar to what the Federal Aviation Administration has for the skies) is the Automatic Identification System. Implementing it, though, has hit a major snag, because in 1998 the government auctioned off the maritime frequencies the system would use to a private company in a 10-year contract. The company, MarITEL, refuses to sell them back to the Coast Guard, and the program is sitting in limbo.

Of all the doomsday scenarios that Heinrich and Neffenger imagine, the one that scares them most is a nuclear device coming in aboard a ship. (In 2003, an ABC News team smuggled a suitcase of depleted uranium into the port undetected—even after it was screened.) Heinrich and Neffenger have thus hired

political conundrum for a president to have to say, either, 'OK, we're going to have put up barriers and stop trade,' or, 'We can't do anything because we can't stop trade.' That could be political suicide. But what choice would he have?"

ONE GLARING GAP, ALMOST EVERYONE CAN AGREE, IS funding. In early November, I went to talk to Bill Ellis, Heinrich's second-in-command at the Port of Long Beach, who came out of retirement to fill the job (he had been chief of the Long Beach police) and was refreshingly candid. What really gets to him, he said, is the money. "This is what I'm dealing with," he said, handing me a newspaper clipping from the (Long Beach) *Press-Telegram* headlined "LAX gets \$256.4M grant." "In one day," Ellis said. "One day." Over four rounds of funding, Ellis has managed to scrounge \$20 million. The lion's share of the \$718 million so far given to ports has gone to Washington state, because the ports of Seattle and Tacoma are nominally more important to those cities than the L.A. ports are to L.A. "It's time for someone to step back and assess how money's being distributed to ports," said George Cummings, Ellis' doppelgänger at the Port of Los Angeles. Ellis estimated that it would cost \$250 million to secure just his side of the port. Indeed, the Homeland Security Department's own inspector general found that department money directed at port security has been poorly spent, or not distributed at all, according to a *New York Times* report in February.

Though L.A. Mayor James Hahn can do little to direct federal money to the port, he has been an outspoken critic of the Bush administration's unwillingness to revamp the distribution of homeland-security funds. (Hahn lives in San Pedro, and his sister, Janice Hahn, is a councilwoman there.) But not everyone agrees. One of the staunchest advocates of reducing federal funding for port security is Congressman Dana Rohrbacher, whose 46th District includes the port. "I think the federal government has given too much money to port security!" he said, speaking (as he told me) on a cell phone from the seat of an exercise bike at his gym. "It's shameful how much the ports have consumed already. What makes them think they deserve to be subsidized any more than any other business concern?" Rohrbacher has introduced a bill to pay for security with user fees, but he said he's expecting it to take four years for the public and Congress to "wake up" and see its merits.

Unwittingly, Rohrbacher may have hit on the crux of the problem: From a certain perspective, there is indeed no reason for foreign companies to invest in security. Shipping is not a high-margin business; it depends on volume for profitability, and security hampers volume. What's more, foreign exporters have a captive audience, as the United States imports twice what it exports. The Coast Guard and Washington can saber-rattle all

they want, but no one's going to tell Maersk or Hanjin—much less Toyota or Wal-Mart—that they're cut off. (Some American companies have been taking the issues seriously, lobbying foreign governments to put money and manpower into port security.) Finally, all of the companies involved are heavily insured. Like an operative considering a too-resilient target, shippers compare the chances of an attack with the cost of security, and the incentive simply isn't there.

Can the L.A. port ever be fully secured? Probably not. Can it come close? Or is the very idea of maritime security a myth? The ocean, after all, is a lawless place. The best estimate is that 120,000 registered commercial vessels—plus innumerable more phantoms—traverse the world's waterways. Even among the known knowns, as Donald Rumsfeld might put it, deceit is



Say What?: GOPer Dana Rohrbacher represents Long Beach—and opposes security funding.

rampant. Perusing the L.A. port complex and taking down names, you'd have a hard time tracking down the real owners of even some of the largest container ships, whose crews hail from every corner of Asia, Africa, South America, and Europe. "Countries of interest" and even known state sponsors of terrorism supply many of them. It's not uncommon for a ship to change owners, even names, multiple times over its life.

I asked Captain Neffenger one day how he felt trying to guard arguably the most attractive target for economic terrorism in the United States. After thanking me for reminding him, he said: "I think of it this way. I'm running a race, and I know the guys I'm running against want to get me. ... I can never stop running the race. Now, I hope, when the fog clears, to find that they're behind me—not in front of me. But I also hope, when the fog clears, that I find I'm running the right race." **TAP**

James Verini, a journalist based in Los Angeles, has written for The New York Times, the Los Angeles Times and Los Angeles Times Magazine, Salon, Slate, and the London Guardian.

One Nation, Under Siege

*Apartheid is becoming a distant memory in South Africa.
But is a country this consumed by crime really free?*

BY SASHA ABRAMSKY

ELEVEN YEARS AGO, MY FIRST YEAR LIVING IN NEW York, I sat on the roof of International House on the edge of Harlem, with hundreds of other students, raucously celebrating as elections in South Africa, half a world away, finished off the apartheid regime and brought Nelson Mandela's African National Congress to power. Drinking beers and singing freedom songs, none of us doubted that the election signified a historic event as transformative as the razing of the Berlin Wall.

Back then, New York, a city long plagued by high crime rates, drugs, and vicious gangs, was also undergoing a transformation, becoming a place of low crime and urban revival. But it was doing so partly through fairly brutal policing strategies that exacerbated racial divides. Police began systematic crackdowns on "lifestyle" crimes they had previously ignored—such as graffiti, street hustles, and minor drug use—on the theory that this would signal a restoration of public order. Meanwhile, in addition to these new coercive, "zero tolerance" tactics, the city was also embracing innovative crime-prevention methods such as an increased cooperation between police and community representatives, and the use of computerized statistical data (COMPSTAT), first pioneered by then-Transit Police Chief Jack Maple, to identify crime hot spots and place police patrols accordingly.

Criminologists are still debating the relative effects of get-tough policing and prosecution, computer-assisted techniques, and general societal changes, including a leveling off of crack usage and the end of crack-distribution turf wars, the demographic decline in the number of young men on the streets, and the booming economy of the 1990s, which lowered unemployment and also brought more money for drug rehabilitation and neighborhood-regeneration projects. But there is no debating the fact that New York City became a safer place.

Today, meanwhile, South Africa is a year into its second decade of democratic rule. It is, in many ways, one of the most uplifting of recent international stories. Yet, tragically, many of the same crime issues that plagued New York are playing out on a far more devastating scale across South Africa, a land of more than 745,645 miles and more than 40 million people. With about 25,000 murders per year and tens of thousands more attempted

murders, post-apartheid South Africa has murder rates only briefly approached in America during the worst years in the most run-down urban ghettos. An entire country lives, day in and day out, with the siege mentality that residents of the South Bronx, Anacostia, Compton, and Southside Chicago experienced during the late 1980s.

"There was a time we criminologists would have done the lefty thing and said it's a moral panic," says University of Cape Town criminology professor Elrena van der Spuy. "But, today, where does the panic end and reality begin? Dinner-table conversation in this country suggests a country at war with itself."

Lately, many of the policing strategies used to curtail crime in the Big Apple have been hawked to civic and business leaders in Cape Town and Johannesburg, first by former New York City Police Commissioner William Bratton and then by ex-Mayor Rudy Giuliani. Police forces have created specialized rapid reaction forces somewhat akin to the SWAT-team policing expanded in America during the 1990s. At times, the police have tried saturating high-crime neighborhoods. In central Cape Town, now a phenomenally dangerous city, a public-private law-enforcement partnership has worked to create zones of safety aggressively patrolled by police and private security companies, comprehensively covered by surveillance cameras.

More than 187,000 sentenced prisoners and inmates awaiting trial are now behind bars in South Africa. Between 1996 and 2004, according to the latest report by the Office of the Inspecting Judge, the number of inmates serving life sentences almost doubled and the number serving more than 10 years nearly quadrupled. Yet, because the courts and the police are chronically underfunded and despite the huge numbers incarcerated, there are growing lines awaiting trial. Reflecting the ravages of AIDS, this huge prison population is also increasingly unhealthy: In 1996, 211 prisoners died behind bars; in the year ending March 31, 2004, 1,683 inmates died of natural causes and another 56 from violence.

The phrase "zero tolerance" has been embraced by police to mean tougher tactics, and by vigilante groups to mean doing whatever is necessary. "Zero tolerance," says Peter Gastro of the Institute for Security Studies, "is obviously a quick-fix term which

has been adopted because of the promise it holds out. It's adopted at all levels. In townships, community vigilante or safety groups use the term ... It's directly associated with New York."

Some have welcomed the move toward zero tolerance. Others believe it a senseless diversion of resources. "South Africa is unique," says Soraya Solomon, executive director of the Cape Town-based National Institute for Crime Prevention and the Reintegration of Offenders (NICRO), a nonprofit group that works with approximately 100,000 ex-offenders each year, trying to reintegrate them into society and the economy. "It's not America. We should find our own solutions to our own problems. We've worked hard to build this democracy, and we don't want a situation where people go crazy and there's violence in the streets."

IHAD LONG WANTED TO VISIT SOUTH AFRICA. AS A TEENAGER in London in the 1980s, I spent much of my political energy in the anti-apartheid movement largely centered on the South African exiles living in London. I took part in numerous demonstrations, which usually culminated in a raucous rally in Trafalgar Square, directly opposite the beleaguered South African embassy. I started a branch of the Anti-Apartheid Movement at my high school; with several friends, I attended a vast concert in honor of the incarcerated Mandela's 70th birthday; I also went to the huge, triumphal concert-rally at Wembley Stadium after his release from prison, at which Nelson and Winnie Mandela addressed the world. For me, the end of apartheid was an event of almost unfathomable wonder.

A couple of years ago, the Social Science Research Council (SSRC) included me as the lone journalist among international academics in a study exploring how globalizing forces were affecting crime and punishment issues around the world. In particular, participants were to explore how criminal-justice models developed in the United States were affecting young people in diverse countries exposed to consumer society but often lacking legitimate economic means to realize their wants.

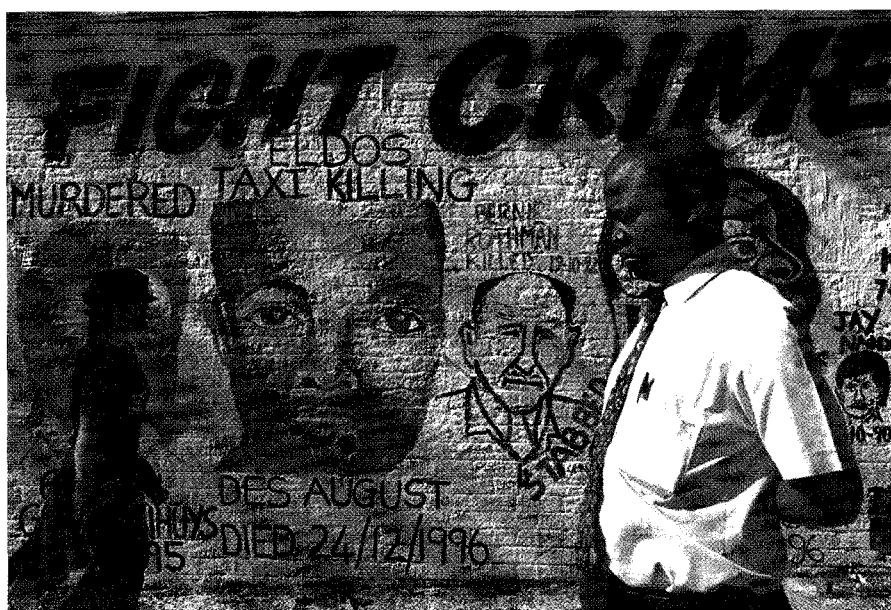
And so, with introductions to the best criminologists, anthropologists, and social critics in South Africa, I flew to Cape Town, stayed in a hotel at the base of the stunningly beautiful Tabletop Mountain and was chaperoned around the city by John and Jean Comaroff, both South African expats attached to the University of Chicago who, since the demise of apartheid, have wintered in Cape Town and conducted research throughout the country. From there I drove to Johannesburg, close to 1,000 miles through the Great Karoo desert, and on to Pretoria.

A key issue for our study was the export of zero-tolerance policing methods into Africa and Latin America—and the way that an aggressive policing model developed in a hub of wealth such as New York would evolve in contexts where government lacked the resources to complement it with social interventions,

anti-drug programs, and the like. How would zero tolerance play in countries in which all of the crime-poverty links documented in America are vastly exacerbated, and where upward of one-third of the workforce is unemployed? And, with such dismally high crime rates serving as a starting point in the countries that Bratton and Giuliani were visiting, how should success be defined?

In recent decades, countries in Latin America, Africa, and the former Soviet bloc (and, more recently, Iraq) have transitioned from authoritarian systems, in which a dictatorial state suppressed crime and social chaos, to more fluidly democratic societies. Rising crime has accompanied growing personal and political freedom and the rollback of state power, as Secretary of Defense Rumsfeld crudely noted in 2003 when trying to downplay the chaos in post-Saddam Hussein Iraq.

In Brazil, another country I visited as a part of the SSRC project, crime rates in the post-junta state have skyrocketed. Sao Paulo and Rio de Janeiro host some of the most violent slums



Cry, the Beloved Country: Artwork on a Johannesburg wall tells the story.

in the world, with violence now spilling out into previously inviolate middle- and upper-class neighborhoods. Increasingly, the middle classes vote for tough-on-crime candidates who advocate harsh policing interventions and an expansion of the prison system. In Sao Paulo alone, the police kill hundreds of hoodlums each year; yet few politicians take a stand against this extraordinary use of police firepower for fear of alienating voters who, in many instances, tacitly support these extrajudicial killings.

SOUTH AFRICA'S CRIME EXPLOSION IS PERHAPS THE MOST extreme of those faced by states and societies in transition. The old apartheid system relied on state-sponsored terror to impose norms rather than inculcating respect for a universally applicable system of laws and law-abiding behaviors. Once that balance of terror dissipated, so did many of the constraints on criminal activity. This vacuum has been compounded by the chasms of wealth and poverty and lack of opportunity for millions of impoverished blacks.

As apartheid collapsed, South Africa miraculously escaped racial conflagration. But since the early '90s, its explosion of violent crime—mainly carried out by young people, often affecting young people—has produced an annual body count of 25,000, higher than that of most civil wars. South Africa's murder rate relative to population, meanwhile, is about 10 times that of the United States', and nearly 40 times Europe's. There are also several hundred thousand serious assaults each year. South Africa is in the midst of a carjacking epidemic, in which victims are frequently shot; it is bedeviled by endemic rape; and it has seen a revival of bloody *muti* rites leading to murders involving witchcraft and tribal medicine rituals.

Like America in the late '80s and early '90s, South Africa is a society preoccupied by crime, its media addicted to covering every bloody act in gory detail, its middle classes transfixed by the omnipresent siege mentality. In this atmosphere, myth and reality blend, creating a potent cocktail of fear, anger, rage, and demands for action, *any action*, to regain control of the streets. Across the political and racial spectrum, there are calls for the state to take tougher action against crime. "People routinely now use the phrase 'weak state capacity,'" says van der Spuy.

Everyone knows about the AIDS epidemic, but few outsiders know that many witch doctors in the rural hinterlands urge patients to have sex with young girls, even babies, to purify themselves.

Yet South Africa *does* have a functioning infrastructure unique in war-torn Africa, one that delivers potable water to homes, provides the basics of a universal education, has one of the best road networks in the world, some of the best medical establishments, a stable currency, and hi-tech industrial infrastructure offering access to a middle-class lifestyle to many millions of people, increasingly to black as well as white. The juxtaposition of First World and Third World, of civil-society aspirations and civil-war death statistics, has produced a crime-and-punishment saga unparalleled in its drama and complexity.

Everyone wants post-apartheid, multiracial South Africa to succeed. It is, in many ways, a testament to humankind's finest dreams and aspirations, to the possibilities of injustice turning into justice and coercion giving way to cooperation. Along with Mohandas Gandhi (the Mahatma), perhaps no 20th-century politician is as morally revered as Nelson "Madiba" Mandela. The world is so invested in seeing democratic South Africa flourish that it almost doesn't want to know about the severe societal problems that continue to plague the country. Nearly everyone knows about the state-sponsored violent appropriation of land owned by white farmers in neighboring Zimbabwe. But how many know that in South Africa, nearly 1,500 white farmers were murdered in the decade following the end of National Party rule, around one farmer in 200? Everyone knows about the AIDS

epidemic in South Africa, but few outsiders know that many witch doctors—in the rural hinterlands that are largely controlled by tribal authorities, but also in the sprawling slums splayed across and around every major city—urge patients to have sex with young girls, even babies, to purify themselves; or that human body parts—heads, hearts, genitals—have been known to turn up in medicine encampments under freeway overpasses in Johannesburg.

In Cape Town, one of the most beautiful cities on earth, gangs in the Cape Flats township—many of whose members, during the last years of apartheid, fused political activism with violent criminal activity, a hybrid identity known as *comtosi*—have killed so many people that the city is now widely reported to be the murder capital of the world, with a yearly murder rate hovering at around 60 per 100,000. Everyone here has witnessed murder, or knows of someone who has. "Last October," NICO's Solomon said sorrowfully, a few minutes after she had lambasted zero tolerance, "the driver who came to pick me up was shot dead in front of me. They wanted his van." Solomon also says there has been a large increase in the number of violent home invasions in Observatory, her own middle-class neighborhood. "Definitely civil society is

feeling it," says Solomon. "All along the southern [middle-class] suburbs, the gangs have moved in and the target is individual homes, driveways, hijackings. Nobody talks about how we've managed to build a democracy, how we came through without a bloody revolution. People are getting sucked into hopelessness. Nobody sees the positive anymore."

Cape Town's middle classes haven't abandoned the region, and the city still maintains an extraordinarily cosmopolitan feel,

albeit one clearly existing under siege. In sprawling Johannesburg, by contrast, the downtown has been emptied of money and of the white middle classes, in ways reminiscent of Detroit during the '70s and '80s. Eerily, the tall glass buildings and fancy hotels are now walled off, their (affluent white) owners have moved to the gated suburbs of Sandhurst to the north; and the city's streets, democratized by the end of the apartheid-era Pass Laws and curfews regulating where people of different colors could live and congregate, have been largely taken over by bustling ground-floor markets and stalls (peopled almost exclusively by poor blacks).

In the heart of government, Pretoria, a leafy, hyper-suburbanized place an hour to the north of Johannesburg, the tree-lined streets look almost uncannily calm—a cross between Los Angeles and a beautifully landscaped French town. Yet every day one reads about fatal carjackings and other vicious crimes, and political figures here are routinely held up by local gangsters. "This country's very fucked up," University of Pretoria anthropology professor Isak Niehaus blithely states, an ironic twinkle in his eye, over a Friday lunch in the university cafeteria. "It's just got a veneer of pleasure for bourgeois people like us, who can enjoy our lives. Under the surface things are just bubbling, bubbling, bubbling."

Much of that bubbling takes the form of vigilantism—a rejection of a state law-enforcement apparatus increasingly seen as

both incompetent and corrupt. In the remote north of the country, for example, a black entrepreneur named Jonny Nagolego set up a phone-a-vigilante group called Mapogo a Mathamaga, creating a potent alliance of fed-up blacks and conservative whites through the retrograde slogan “To combat kaffir crime you need kaffir power.” In the large cities, a radical Islamic group set up a vigilante organization called People Against Gangsterism and Drugs that, by 2001, had degenerated into a gangster organization specializing in deadly assaults on the police. In Cape Town ghettos such as Heideveld, impromptu vigilante groups routinely beat, and even kill, accused criminals. The practice of “necklacing”—putting tires around a victim and setting them alight with gasoline—which began in the townships during the latter apartheid years as a brutal way of dealing with alleged government spies has now evolved into a fairly routine form of vigilantism. And cutthroat taxi cartels frequently kill drivers attached to, and passengers using, rival companies. Because of what he terms a “justice vacuum,” vigilantism, says Boyane Tshehla, then

lights at night. These are fabric-of-life things. Crime begins to serve metaphorically as a symbol for white South Africans of their loss of power, their loss of agency.”

I would arrive at the houses or apartments of my sources—most of whom had established liberal and anti-apartheid bona fides—park my car, and nervously walk to their doors (large numbers of people are killed every day walking from their car to their house). All my sources either lived in complexes surrounded by barbed wire or electric fences, or had very prominently displayed armed-response signs surrounding their residences. None wanted to be caught in a situation where he or she had to rely on a police response instead of a private security response to save his or her life. I’d sit and talk about life in South Africa, then head out to dinner in heavily fortified shopping malls ringed by armed guards and security barriers. And then I’d drive through red lights all the way back to my gated hotel, with the armed guard who tried to sell me drugs every night.

“The hysterical perceptions of crime are less racially split



Broken Windows, Indeed: Some South Africans are afraid to take out their cell phones on city streets for fear of being robbed.

32, of the Pretoria office of the Institute for Security Studies, “is not transitional anymore. It’s something we should brace up to live with for a very long time.”

In the Cape Town township of Langa, Solomon quotes NICKRO workers telling her that the neighborhood street committees are now saying, “We will not tolerate crime in our areas, and they go out seeking people alleged to have committed crimes and they beat them up. The rich and poor are all saying we should bring back the death penalty, put these monsters behind bars, give them longer sentences.”

R EPORTING ON SOUTH AFRICA’S CRIME EPIDEMIC, I drove around in a tiny white Fiat, my windows shut tight, the doors locked from the inside, and my car permanently in gear (everyone says to stay in gear and to drive through red lights if you glimpse anybody—but, goes the subtext, any young black man in particular—loitering anywhere near your car). It’s like the urban-apocalypse atmosphere described by Tom Wolfe in *The Bonfire of the Vanities*, his epic depiction of 1980s New York, only much, much scarier. “Every time you come home in this country,” explains journalist Mark Gevisser, “you do this check, this sort of siege check. Is everything as it should be? If not, you drive on. I drive through red

than often imagined,” says Jonny Steinberg, author of the acclaimed books *Crime Wave* and *Midlands*, a brilliant depiction of the tensions behind the rash of farm murders in KwaZulu-Natal. “The black and white middle classes are equally fearful when it comes to crime. And hostility to the underclass is a cross-racial middle-class prejudice.”

“You have a strange scenario where a country moves on quite stably at the level of its formal institutions,” adds Steinberg. “But out on the street, terrible things are happening. I think there’ll be quite diffused but quite violent class warfare, and politics and business will be increasingly delegitimized in the eyes of the poor. Fear has seeped into the texture of life.” The Institute for Security Studies’ Gastro warns that South Africa is likely to see “a rise in private security at all levels. As far as the middle class is concerned, the need for private security in your neighborhood will increase, and at the level of community responses, we’re also likely to get increases, some of them falling into the vigilante category.”

Every black South African I interviewed—be they academic, activist, think-tank employee, or just ordinary young person—had either been carjacked or witnessed a murderous carjacking (despite many carjackers telling Steinberg that they only target whites or middle-class blacks). All of those I met talked of friends and family members who had migrated specifically to escape

the monstrous levels of crime. The young people I interviewed at an advertising firm, professionals of various races, were terrified to take out their cell phones while walking down the streets of downtown Cape Town in broad daylight, for fear of being robbed. When I interviewed Sello, then 23, he told me that three cars had been hijacked on the corner of his street in the last few months alone. Boitshoko Leteane, 21 at the time, said that one of her friends was recently killed in a drive-by shooting outside a shop. Coming to her career job at the advertising agency, Boitshoko wears flat shoes rather than heels. "I know the possibility that I may have to run," she explained simply.

I JOURNEYED TO SOUTH AFRICA WITH PRESUPPOSITIONS: Zero tolerance was all wrong; the last thing South Africa needed was a heavy-handed police apparatus, as it still struggled with a past in which the police served a terroristic political function of destroying opponents of the apartheid regime; Giuliani and Bratton's pep-talking visits to Cape Town and Johannesburg were yet more examples of arrogant Americans attempting to reshape the world. Zero tolerance, in this schema, was a back-door way to use the criminal-justice system to reproduce the disparities of apartheid through the rubric of law enforcement.

But after two weeks of reporting and observing, I reached a different conclusion: Zero-tolerance policing still seems wrong for South Africa—not because it is too coercive but because it will likely prove impossible given the social realities.

What South Africa demonstrates, it seems to me, is the Hobbesian outcome likely to accompany a societal upheaval that fails to live up to the dreams of a downtrodden populace. In many ways, post-apartheid South Africa has created a hyper-capitalism that, while formally color-blind, has generated increasing numbers of desperate, marginalized people. According to then-36-year-old Steve Mokoena, a black man working with the township youth of Johannesburg, "There's a very potent sense of exclusion." As we sat at a chic bar in a ritzy, multiracial neighborhood of Johannesburg, Mokoena spoke of "people feeling, 'The new South Africa is not new for me. It is new for others.' The flight of the black middle classes from the townships creates a very clear them-and-us scenario."

Zero tolerance "worked" in New York largely because the police were able to keep crime and violence away from the middle class, and because it was complemented by other social policies. The poor, the homeless, and the addicted who did not join the economic mainstream increasingly were either placed in city jails or state prisons or pushed out of the urban core and into invisible peripheries. In the South African context—where the vast majority of the population, including the rural police forces themselves, live in these underserved peripheries and there is woefully inadequate funding for constructive alternatives—crime cannot be controlled or limited in the same way.

Instead of endlessly expanding South Africa's penal infrastructure and already stretched court systems, more state resources need to be channeled into jobs, health, and education programs; the creation of non-shanty housing stock for migrants to the big cities; gang-intervention strategies designed to break the gangs' hold over the upcoming generation of impoverished

youths; and massive anti-rape and anti-violence campaigns. None of these is a quick-fix solution like zero tolerance. There simply are no easy answers to crises and pathologies as deep-rooted, as entwined with history, as those facing South African society today. Yet absent a more determined effort to ameliorate the country's egregious social disparities, crime will continue to be the festering wound at the heart of South Africa's young democracy.

Government plainly needs more capacity, for both social justice and criminal justice. The increased privatization of law and order reflects the hollowing out of government's functions—the criminal-justice failures that have invited vigilantism, as well as the failure of the state, both during and after apartheid, to use its First World infrastructure to create jobs, health care, housing, and education accessible to the vast majority of the population. South Africa displays the several dangers that accompany a faltering state, when justice and social-control methods are ceded to the private sector—to private security firms, to vigilante groups, to simple mob justice—and democracy becomes an empty promise because of the dystopian viciousness of everyday life.

SOUTH AFRICA'S INABILITY TO TACKLE POVERTY AND control the criminal tensions that break loose in situations of extreme inequality represents one of the possible end situations for a polyglot America, with class divides largely mirroring racial divides and conservatives seeking to hollow out traditional functions of government. Arguably, South Africa's greatest lesson for American policy experts is not that zero-tolerance models but that dangers exist when a state abnegates its role as an ameliorator of economic inequalities—and when a state fails to produce social, legal, and criminal-justice environments in which people, young people in particular, trust government to keep order and address their civic needs.

There are, obviously, some profound differences. South Africa's underclass is a large majority, whereas in America the dispossessed poor, of all races, remain a minority, their desperation and their crime more controllable, more localizable, by ghettoization and hi-tech policing, surveillance, and incarceration strategies. America's state apparatus—the ability to project its power onto its residents—is, also, clearly vastly more powerful, better funded, and more competent than South Africa's.

Yet, while America as a whole is unlikely to go down the South African road in the near future, impoverished pockets of the population and the areas in which these underclasses live may well come to increasingly resemble mini, sub-state versions of this dystopia.

As the Bush administration hollows out the state's welfare role, allows the markets to generate ever-greater inequalities domestically and internationally, exports working-class jobs overseas, and farms ever-more government functions out to a largely unregulated private sector, South Africa may well represent a disquieting picture of one strand of America's future. **TAP**

*Sasha Abramsky is the author of **Hard Time Blues** and an upcoming book on voting rights. Research funding for this article was provided by a grant from the Social Science Research Council, as a part of the council's Working Group on Youth, Globalization, and the Law.*

Culture & Books

"We on the left have happily ceded difference feminism to the conservatives." —PAGE 57



MEDIA

HELLO, HENHOUSE? FOX CALLING

So conservatives say they want to work at mainstream newspapers. There's just one problem: That would mean doing actual reporting.

BY TODD GITLIN

SHOULD WE HAVE AFFIRMATIVE action for conservatives? This question, arresting enough by itself, becomes all the more so when the "we" in that question is *The New York Times*. It cropped up during a January 17 meeting in a nicely paneled *Times* conference room, billed as an "informal forum" at which various *Times* editors and reporters sought the advice of five outsiders—a journalism professor, a liberal freelance reporter, a conservative reporter, a conservative magazine editor, and me—on the question of the "proper boundary between news and opinion in the news pages and a host of issues that arise from the debate

... [including] whether these various forms confuse readers about whether the *Times* approaches news coverage fairly and without a specific, preconceived point of view," in the words of the editor who summoned the meeting.

The *Times* rethink is motivated by long-term management concerns about the paper's stagnant circulation and how to explain and reverse it. The youth falloff looms large in management's thinking, as does the Internet. But also ranking high among the in-house hypotheses was the assumption that growing numbers of actual and potential readers are turned off that the *Times* reads to them like a blue-

state paper, reeking of liberal bias.

The *Times* staffers were mainly in listening mode; most of the talk was left to the outsiders. But the question about affirmative action for conservatives, which received a friendly hearing from most of the outsiders (not including myself), emanated from a *Times* investigative reporter. And it quickly became the center of the main debate. A top editor's statement that he worries about whether the *Times* is doing right by the danger of global warming, or rather succumbing to a shallow he said, she said once over lightly, occasioned much less attention.

Leave aside the irony of conservatives looking kindly on affirmative action (it's a theme one hears increasingly in the right's campaign for an "academic bill of rights"; see my "Permission to Speak Freely" in the March/April *Mother Jones*). Conservatives have not let up in their clamor against "liberal bias" in "mainstream media" (a term they've used so often they and others initialize it now as MSM) for more than three decades. Book-length refutations like Eric Alterman's *What Liberal Media?* and hundreds of resonant articles of the sort have left them unfazed.

If left-wing critics were half as influential as they're cracked up to be, you'd think they would have swayed some of those media moguls by now. But they haven't. The MSM have their ears cocked to the right. Perhaps there's a market explanation in part: The folks running our media are overly mindful of best-sellers published over the years under the names Rush Limbaugh, Bernard Goldberg, Ann Coulter, Bill O'Reilly, Sean Hannity, et al. Whatever the exact reasons, the proprietors run scared. They know where political power lies.

IT'S PERFECTLY TRUE THAT THE *TIMES*, like other media, tends to dwell overmuch on the cultural mind-set of its Man-

hattan readers. This means it misses a lot of what's up on the far side of the bridges and tunnels. So it's healthy, and overdue, for the MSM to report the conservative movement thoroughly, as the *Times*' excellent David D. Kirkpatrick started doing before the election.

Now, I have no idea what Kirkpatrick's political leanings are, if any, and it doesn't matter. What does is that he takes the movement conservatives—in particular, religious ones—seriously and reports on their doings. A reporter doesn't have to be conservative to report on conservatives. If the reporter were conservative in his private opinions, that might help him ask good questions; on the other hand, it might hinder him from asking himself good questions about his questions. There's no reason why a sensitive centrist

for some time that we face a long-term entitlement crisis. Young people are deeply skeptical about whether they will ever see all the benefits promised them." Kurtz accused Confessore of "giv[ing] short shrift" to "folks like [former Republican Commerce Secretary Peter] Peterson and [co-author of *The Coming Generational Storm* Laurence] Kotlikoff," who argue "that our entitlements are out of control and that a fix is needed."

Kurtz was right this far: A LexisNexis search discloses that Peterson has had better years getting quoted at the *Times* than the last one. As for Kotlikoff, he has been cited more often, though chiefly in the *Times*' business pages. But one wonders how happy Kurtz would have been had Confessore cited Peterson to make the point that many fiscal conservatives

sorry, personal—accounts (even some leading conservatives, like William Kristol, have wondered why the rush).

Fair's fair: Not a few "Week in Review" pieces are written like this one, pumping up the political stakes of presidential showdowns. There's a preference for strategy stories over policy stories—an enduring preference, ideology aside, because the drama of presidential boom and bust is more compelling than the clunky facts of what policies accomplish. We'd find much the same if we looked at *Times* coverage of, say, Bill Clinton's doomed health-care reform of 1993–94. Then, true, the *Times* did run an initial 16-page special supplement on the program. But then, as former Harvard President Derek Bok wrote in a study commissioned by the Annenberg School for Communication at the University of Pennsylvania: "After the President's initial speech to Congress, however, in September of 1993, media attention increasingly turned from the substance of the rival health plans under consideration to the conflicts and maneuvering of the different Congressional factions and interest groups that were struggling to get the upper hand Only about one-quarter of the newspaper stories and less than one-fifth of the television coverage focused on the substantive issues under consideration."

What's indisputable is that the *Times* presupposes that its readers are more interested in the question of whether George W. Bush is up or down—as, in 1993–94, in the equivalent question about Bill Clinton—than in the merely wonkish (that is, factual) question of which policies make sense. What's also indisputable is that the collective fascination with winning and losing is less than edifying when it comes to the merits of proposals on how the government might spend trillions of dollars.

SO IS THE NOTION OF AFFIRMATIVE action for conservatives anything but a Republican meme—part pressure tactic, part whine? I doubt it. There's no evidence that serious reporters who are also political conservatives are lining up at the employment gates of the MSM. As one nonconservative participant in the *Times*'

The point of Confessore's lead was not that Social Security required no fixing but that Bush was risking tremendous political capital on his campaign for private—sorry, personal—accounts.

or liberal reporter, or a not terribly opinionated one, couldn't do the same.

In recent weeks, conservatives have been beating the drums about the *Times*' recently hired Nicholas Confessore, who has been working the metro beat and came to the paper from the *Washington Monthly* (and, yes, *The American Prospect* before that). It's not Confessore's local reportage that had conservative tongues wagging but a February 6 "Week in Review" piece, "Going for Broke May Break Bush," that began, "Rarely has a domestic policy proposal so monumental come down the pike with so little obvious reason for being."

National Review Online's Stanley Kurtz wrote that his "jaw dropped," that he was "absolutely floored" at the "plain ridiculous" sight of this piece by what he called an "utterly partisan liberal writer." In response to my query as to what he meant by "deep anti-Bush bias," Kurtz e-mailed me that Confessore's opening line "tends to reinforce the Democratic argument that 'there is no crisis.' Yet the public has known

believe that there can be no fix for Social Security without an increase in taxes, which is Peterson's position.

In his own recent *Policy Review* take-out on related matters, Kurtz writes, "Peterson, Kotlikoff, and Burns warn of a spiraling financial crisis that could even lead to worldwide depression." But here Kurtz lumps together Social Security (moderate problem) and Medicare (much bigger problem), and sometimes even Medicaid and interest on the national debt, to force the point that Social Security is in crisis. As Paul Krugman and many others have written, there is a serious long-term moral and political problem as to how to fund medical care, but this is not the crisis President Bush talks about. Anyway, Confessore's lead was, to all but the most conservative readers, objectively accurate: Social Security does not face "bankruptcy" or any other self-evident crisis. His point was not that Social Security required no fixing but that Bush was risking tremendous political capital on his campaign for private—

January 17 meeting put it (and the conservative editor confirmed), conservative journalists are more likely to be opinionators than reporters in the first place. I doubt that even those who are competent reporters would cheerfully trade their freedom for the constraints of the *Times* newsroom, however tied those may be to the prestige of the byline.

But the mere fact that *Times* editors are taking such notions seriously, fretting aloud about how to live down their reputation as a blue-state paper, is worrying. It suggests an unseemly readiness to cave in before force majeure whenever some rampaging bloggers (or just plain readers) get mad.

The New York Times publishes, in fact, in a blue city in a blue state. In all likelihood, its demographic will go on tilting toward the ultramarine. It has its limits,

flaws, and warps, but most of what it publishes is worth reading—and disputing—anyway. Inevitably, like every other medium in history, it will cater to the preoccupations of its color code. What's wrong with that? If *Times* readers tilt Democratic, does this mean that the sun ceases to rise in the east? If its readers go off on an "Intelligent Design" binge, should the paper require religious means tests for new science reporters? Please. Once you start imposing political tests on people whose business is to see and smell what they haven't already seen and smelled, there'll be nothing left for American newspapers to do but to die. **TAP**

Todd Gitlin is a professor of journalism and sociology at Columbia University and the author, most recently, of Letters to a Young Activist.

BOOKS

A DIFFERENT EQUALITY

PERFECT MADNESS: MOTHERHOOD IN THE AGE OF ANXIETY

BY JUDITH WARNER Riverhead, 304 pages, \$23.95

THE CAREER MYSTIQUE: CRACKS IN THE AMERICAN DREAM

BY PHYLLIS MOEN AND PATRICIA ROEHLING Rowman & Littlefield Publishers, 304 pages, \$22.95

THE OTHER WOMEN'S MOVEMENT: WORKPLACE JUSTICE AND SOCIAL RIGHTS IN MODERN AMERICA

BY DOROTHY SUE COBBLE Princeton University Press, 336 pages, \$29.95

BY SARAH BLUSTAIN

ONE EVENING THIS WINTER, EIGHT weeks before our second baby was due, my husband and I had an argument. I had built some "free time" into my schedule for the final two months of pregnancy, primarily for family and personal maintenance: finding day care, researching a new car, etc. The debate was: Should I use that time as planned, or cut into it by, well, reviewing three books on the work-family tug-of-war?

To my husband, I suppose, it seemed like a pretty straightforward question of time management. But for me, it was a total identity challenge. My life was already unrecognizable to me. I was working fewer hours than I ever had, yet I was also busier than I had ever been in my life,

making lunches and dinners for our toddler, arranging playgroups, and singing endless though enjoyable rounds of "Old McDonald." How had I become a person with the words "toy storage" on her to-do list? How had I had turned over all the "male" tasks—household finances, home repair, taking out the trash—to my husband? Why was I cooking and freezing meals for the postpartum period, digging out the old newborn clothes, while he was setting up his next professional projects? This wasn't life before liberation. It was a *parody* of life before liberation. And now was I going to pass up some interesting work to look for day care?

So it was with something like gratitude that I read the opening pages of

Judith Warner's new and widely publicized book, *Perfect Madness: Motherhood in the Age of Anxiety*. Warner had talked to women just like me—educated, relatively financially secure, who have the options of working or staying home, who went to serious schools and started serious careers only to find themselves pulled in one direction by ambition and in the other by the powerful impulse to mother (and all its attendant chores), some of whom chose primarily the former, some the latter, and most of whom tried to do it all perfectly but ended up only exhausted and angry.

The conversations she relates—interviews with about 150 middle- and upper-middle-class post-boomer mommies—are riveting, a sort of support or consciousness-raising group for people who have no time for such things. (She argues, rather unconvincingly, that the relative affluence of her interviewees is appropriate because these are the folks who capture the American imagination, on whom we all model our hopes and lives.) Warner suggests an updating of Betty Friedan's *The Feminine Mystique*, a "Mommy Mystique" that "tells us that we are the luckiest women in the world" and drives us to a perfectionism that leaves us racing from work to home to "soccer and violin and public service and weekends of baseball practice," ending up only thoroughly wiped out. Their conversations are, as reading goes, irresistible, almost pornographically so. My problem might not have a name, but I do have a lot of company.

Warner's isn't the first, or even the best, book to note the madness of modern motherhood. Hers is simply the latest and most successful in the newest wave of "women's lib," a sort of quiet rumbling (or maybe just mumbling) that the female liberations of the last 40 years have not added up to equality—rather, just the opportunity to run oneself ragged on two fronts. Almost half a dozen books published in the last few years on the subject—some sociological, some confessional—have started similar conversations. Despite revolutionary changes, these books tell us, women's lives are *still different* from men's—even today, even

with all those choices, whether you're a rich mom or a middle-class mom or a welfare-to-work mom. Some call the outcome balancing. Others call it compromise. We "radicals" call it unfair.

There is a certain shame in suggesting that we are *still* not happy with our options. Exuberantly, our political culture has embraced personal responsibility. If the social and legislative changes of the '60s and '70s attempted to level the playing field, the cultural and legislative changes since then have said, "Now it's up to you. Make your own fortune." So it is not easy to admit, as Warner points out, that somehow making one's own fortune is not as simple as it seemed.

It's too bad, then, that Warner didn't take her mommies' complaints and turn her sights rigorously on society. Indeed, if Warner set out to free women from their bonds of self-blame, she ends up spending the lion's share of her book in a mean-spirited dissection of what women do wrong. With only a handful of pages on the structural problems in American work-family life, she falls back on hundreds of pages of psychobabble about '50s mother hatred, the '70s divorce epidemic, and the '90s anorexia epidemic to come up, ultimately, with a sometimes internally incoherent theory that the real problem is that we're a generation of control freaks digging ourselves ever deeper into our miserable holes.

In this process, Warner invokes a nauseating "we": We are engaging in an "ultimately impotent control-freakishness." In the '80s, "while our baby boomer elders continued their quest to achieve firsts in the worlds of business and politics and elsewhere, we ... began to shut ourselves down" through eating disorders. "We did not seek 'liberation' so much as 'control.'" And so we obsess about all the little details of our children's lives. She tells us that "in and around Washington, D.C., parents panic if their kids jump at loud noises, don't connect to soccer, refuse to dress themselves, frustrate their teach-

ers, or are just a little bit strange." *We* do? In New York City, she says, "parents with money sign their three-year-old sons up for physical therapy if they can't peel and paste stickers with dexterity." (Really? Is that a New York *phenomenon*?) By the end, all I could think was: Thanks for your support.



LUCKILY, THERE'S ANOTHER NEW book—published without the fanfare of *Perfect Madness*—that offers some real information about who we women are and what we are struggling to achieve. Also invoking Friedan, *The Career Mystique* was written by Phyllis Moen, a professor of sociology at the University of Minnesota, and Patricia Roehling, a professor of psychology at Hope College in Michigan. It's an exhaustive survey of the research on women, men, work, housework, mommy tracks and daddy tracks, salaries, parental leave, glass ceilings, and every other relevant fact about how we work and parent today. And it posits that the old-fashioned notions of career—of a worker setting out each day with

unlimited resources for the office because he has a wife at home—are crippling both American families and American women's careers.

Like Warner, these authors conclude that there's something deeply unequal about the postfeminist world of two-career families. Indeed, they offer the data Warner might have used to understand the craziness her mommies describe. This inequality begins early. In one study Moen and Roehling reviewed, the authors found that "ninth-grade girls spend, on average, two hours more a week doing domestic chores than do ninth-grade boys." Within three years, this difference doubles. At the same time, they find that girls are more likely to work for family and friends and to receive lower wages than boys, who tend to work in a wider range of jobs.

Most important of all, these trends play out over the course of careers: The authors cite a study that "estimates that when couples marry, the amount of time a woman spends doing housework increases by approximately 17 percent, while a man's decreases by 33 percent." (Remarkably, in two studies, from Canada and Norway, researchers found that employed women with nonemployed husbands still did 60 percent of the housework.) When children enter the picture, these discrepancies become even starker: Mothers tend to work less, earn less, and advance less than their male peers and than their husbands. Fathers, by contrast, tend to work more and earn more. (Curiously enough, this wage increase among new fathers tends to be more when the child is a boy.) Over the long term, even when women do return to the workplace full time, they do so with lower incomes and slower advancement than their male or childless female counterparts.

Perhaps most important, this book leads us to understand how these outcomes are built into the very structures of our society, the most extreme example

being our reformed welfare system. In the 1960s, the authors point out, “policy makers saw the proper role of mothers as mothering,” with the state supplying supports to poor single women without a male breadwinner in the house. Under the welfare reform of the ’90s, welfare recipients can only receive benefits for five years. And what happens to the myriad single mothers on welfare? Where are the provisions for child care? “[S]ingle mothers who have exhausted their benefits must take full responsibility for raising their families while also working full time,” the authors write, “often with little or no other systems of support.” Is this really what we expect? Mothers who can both work and mother full time? It would seem to capture the problem of our cultural assumptions about women, work, and family in a nutshell.

NEAR THE BEGINNING OF HER FASCINATING new history of labor feminism, *The Other Women's Movement*, Dorothy Sue Cobble turns her attention briefly to women's organizing in the meat-packing industry in the 1940s, a period, due to the war, of relative strength for female workers. “The issues,” she writes, “ranged from equal pay demands to how work would be organized to rest periods for women with menstrual cramps.”

Rest periods for women with menstrual cramps—what a concept! This remarkable history recounts the “other,” forgotten feminism, a feminism that *fought* the Equal Rights Amendment because its adherents—most of them working-class and labor-affiliated—believed it would force women to adapt to men's roles and standards and to forgo the useful protections women-only legislation offered. Post-’30s labor women, Cobble writes, believed that “the work world had been constructed with the needs of men, their bodies, and their social roles in mind. ... The goal, [labor activist] Frieda Miller offered, is to ‘achieve an equality which takes account of the differences between men and women.’ Any other approach risks imposing ‘identity under a masculine pattern.’”

It got me thinking, reading the book as I went through the eighth month of pregnancy. How about cots in the office,

where my aching, stretching, drooping body could sleep for half an hour? How about workplaces that believe 5 o'clock is a sane time to call it quits and return to our families and not make home a natural competitor with the office? How about a welfare system that doesn't force single mothers back to work without attending to their children too? And what *about* work breaks for menstrual cramps?

Of course, the well-trained feminist mind rebels. Who would hire a woman who wanted a feminized workplace? Indeed, why feminize the workplace when there are plenty of other men and women who would be perfectly happy to hold my job in a traditional masculine workplace? How could I admit to the conflicts of interest in caring for my kid and working and still deserve my paycheck? The very

Worse, by insisting on equality of opportunity in what is, structurally, still a man's working world, feminist organizations have been sowing the seeds of their own increasing irrelevance.

premise of modern feminism is that we can do anything they can do. Anything else is weakness.

And yet, a generation and a half out from the first rumblings of the second wave, it is now evident—witness Warner, Moen and Roehling, and all their compatriots on this subject—that women cannot do anything men can do. At least not in the same way, in the same structures. And where are the organized feminists? Still denying difference. (As Cobble points out, labor feminists had basically given up their difference feminism platforms by 1960.) Worse, by insisting on equality of opportunity in what is, structurally, a man's working world, feminist organizations are sowing the seeds of their own irrelevance. The National Organization for Women's (NOW) membership among women in their childbearing years has been declining, yet the organization has not made workplace reform a real highlight of its efforts. Indeed, in 2001, when Patty Ireland stepped down as head of NOW,

she told *The Washington Post*—with regret but apparently without irony—that she had never had children because “I decided that I couldn't do what I wanted to do with my career and have children.”

Indeed, we on the left have happily ceded difference feminism to the conservatives. *They* are the ones who remind us—with nauseating smugness—that women are not men. They tell us that the revolution succeeded as much as it needed to, and that boys, not girls, are now the oppressed “minority.” Christina Hoff Summers popularized this argument in her 2000 book, *The War Against Boys*. And she's right: Girls are getting better grades, the majority of college graduates are women, and so on. Given those facts, you'd expect similar success all the way to the top. But it's just when women are

hitting their prime—*just when their children arrive*—that all this progress mysteriously disappears and the glass ceiling comes right down to meet them. And, to the conservatives, that's OK. They say that where biology really counts, it's time to respect women's difference and abandon the revolution's goals.

Of course, I don't go where these conservative “feminists” go. But where is the movement of liberal feminists acknowledging that women are not men, yet we are still living in a man's world? Where are those demanding the second half of the revolution—the half that will bring real structural change to a work world originally constructed, as Cobble wrote about the 1930s, “with the needs of men, their bodies, and their social roles in mind”? And while we're at it, where are the activists pushing to finish the other justice revolutions of the second half of the last century? We need to ask whether preserving the *equality of opportunity* to join this man's world—this white man's world, to be utterly PC about it—has done

enough. If, halfway through the second generation touched by these provisions, equality of outcome is a still distant vision, are we really providing equality of opportunity after all?

Yes, I do embrace a version of equality feminism. But I'm not holding my breath for it in my lifetime. We've got a long way to go. And, more important, despite the rumblings and mumblings of postfeminist women, there's no political

energy going into a fight for that vision. In the short term, let's remember our labor feminist foremothers who saw with such clarity that the work world was not made in their image—and set out to change it. We need to escape the “mommy mystique” and the “career mystique.” But most of all, we have to recognize that the “equality mystique” of the second wave may not be the most progressive ideology we can imagine. **TAP**

calling for a “new nationalism,” Wolfe contends that the United States should again pursue what he calls “national greatness”—a concept whose unfashionably grandiose ring he deems precisely the ingredient that liberalism and conservatism today both sorely lack.

Wolfe uses the term “greatness” quite specifically. By his definition, a great vision must include a commitment to both liberty and equality and a willingness to use government to guard and promote those ideals. Greatness for Wolfe also requires a focus on a national (as opposed to factional or local) interest; a hardy confidence that makes bold planning possible; and (perhaps counterintuitively) a cold realism, because only by accepting the flaws of any agenda and scuttling high-minded dreams of purity can leaders actually get things done.

Today, Wolfe says, conservatives and liberals alike recoil from greatness. Although the Republican Party claims an august tradition, exemplified by Abraham Lincoln and Theodore Roosevelt, of using the state to pursue unifying goals (think of the Gettysburg Address or Roosevelt's conservationism), the party's current bosses have discarded this magnanimity for a cramped, knee-jerk worldview that favors “shrinking government to the point [where] it can be washed down the bathroom drain” (in the imagery of right-wing activist Grover Norquist) and a foreign policy based on what Wolfe wittily calls “dogmatism without dogma.”

Liberals for their part, burned by the Vietnam War and the backlash against the Great Society, flinch from any agenda that might smack of grand designs. Wolfe faults various currents in recent liberal thought—the romance with civic republicanism, the environmentalists' shift from prioritizing people's needs to a “pastoralism” that prioritizes nature itself, the denigration by some academics of the very idea of an American nation—for elevating “the good over the great, the small over the big, the local over the national, and the particular over the universal.” As for America's role abroad, there, too, most liberals want for confidence. No sooner

BOOKS

LIBERALS, THINK BIG

RETURN TO GREATNESS: HOW AMERICA LOST ITS SENSE OF PURPOSE AND WHAT IT NEEDS TO DO TO RECOVER IT BY ALAN WOLFE

Princeton University Press, 224 pages, \$22.95

BY DAVID GREENBERG

IN RECENT YEARS, THE SOCIOLOGIST Alan Wolfe has emerged as one of America's most astute thinkers about religion, politics, and society. Unlike so many generalists who aspire to the label “public intellectual,” Wolfe's ideas have roots in his own continuing academic research; where clever controversialists like David Brooks and Christopher Hitchens wear poorly, as their endless tossing off of opinions lays bare a core shallowness, Wolfe draws from a deeper well, and his books and essays are the richer for it.

One of Wolfe's most important cross-over works, *One Nation, After All*, appeared in 1998 amid the so-called culture wars. Based on a survey of middle-class Americans' views on affirmative action, immigration, and other divisive topics, *One Nation* held that beneath their surface differences, Americans shared common values such as pragmatism and tolerance. Admiringly, Wolfe wrote of his subjects' “quiet faith” and “mature patriotism.” Published as Bill Clinton's approval ratings were soaring in the face of a Republican-led, media-betted sexual auto-da-fé, *One Nation* won kudos for hitting upon an overlooked condition of our public life: that while the moralizers might rule the debates, a silent majority had sided with the forces of change on the major ref-

erenda of the 1960s. In the culture wars, liberals had—mostly—won.

Seven years on, the squalidness of our current politics calls this bright portrait into question. If he were to repeat his survey today, would Wolfe find a middle class just as quiet in its faith and mature in its patriotism? Are pundits again mistaking the stridency of a vocal few for the dominant temper of the many? Or have September 11 and its aftermath—along with George W. Bush's jackboot politics—repolarized America?

Last July in *The New York Times Book Review*, Wolfe acknowledged the intensifying war between the red and the blue. Writing about a dozen-plus election-year polemics, he lamented the deafening shrillness. Still, he cautioned that such jeremiads had precedents in the blustery pamphleteering of the Revolutionary era and clung to his battered optimism, concluding, “If the only choice we have is between no politics and vituperative politics, the latter is—just barely—preferable.”

In *Return to Greatness*, Wolfe expands these ideas. The book suggests how a political essay, rather than driving Americans apart, might help us “overcome the culture wars and return to the business of achieving something for which [we] can be proud.” Like a 1995 *New Republic* essay by John B. Judis and Michael Lind

had September 11 helped them rediscover the need for an activist foreign policy, Wolfe notes, than Bush's invasion of Iraq produced "an extreme case of ... whiplash"—leading many to revert to their neoisolationism.

More a ruminative essay than a rigorous argument, *Return to Greatness* ranges, despite its brevity, over wide swaths of intellectual terrain, dispensing insights and making novel connections. Wolfe trenchantly critiques such diverse thinkers as Robert Bork, Eugene Genovese, Christopher Lasch, Michael Sandel, and Juliet Schor. As a result of this breadth, it's both hard to gainsay the wisdom of his general thrust and easy to quibble with particulars. I would have liked to see him work out more thoroughly a key distinction he posits between "greatness" and "goodness." In contrast to the champions of the bold agendas that Wolfe favors, advocates of goodness, he says, are risk-averse and sentimental, romantically seeking to cleanse society instead of exploring new frontiers.

Defined in Wolfe's precise way, this dichotomy makes sense. But it's also possible to conceive of goodness not as small-minded moralism but as a becoming modesty, a pledge to avoid the hubris that dreams of greatness can foster. Wolfe argues, for instance, that the Bush administration's pious rhetoric and ungenerous spirit place it in the camp of

gasbord of experiments for beating the Depression—his absence of an overarching scheme—as a prudent quest for "merely" the good. The point isn't to detour into hedgehog-versus-fox taxonomies, but to suggest that a more refined argument about goodness and greatness would have bolstered an appealingly suggestive thesis.

A vision of American greatness, by Wolfe's definition, must include a commitment to both liberty and equality and a willingness to use government to guard and promote those ideals.

goodness. Yet one can also view Bush & Co. as a gang of self-styled bad boys, sneering at the norms of political fair play and international law, which they deem obstacles in the path to the historic role they imagine for America (and themselves). Conversely, Wolfe sees Franklin Delano Roosevelt as an exemplar of greatness, but one could interpret FDR's smor-

A larger question about Wolfe's enthusiasm for greatness arises with his sympathetic take on such books as James MacGregor Burns' *The Deadlock of Democracy* (1963), which bemoaned how a minority of reactionary southern and rural forces were blocking progress. At that time, when the landmark civil-rights laws of the 1960s remained unpassed,



Photo by Maria Reim

RETURN TO GREATNESS

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Burns was right to fault the American political system for allocating power disproportionately to these minority interests—and to hope that the 1964 elections would yield a Democratic supermajority that could effect change.

Yet for all the achievements of the 89th Congress, single-party government looks very different when the other guys hold power. Today, with ultraconservatives running the White House, Congress, and the courts, liberals celebrate the Founders' prescience in creating those systemic restraints that Burns and "greatness" liberals once rued. I agree with Wolfe—and argued in these pages [see "Action Liberalism," January 2005]—that liberals suffer from what he calls a "fear of ambition." But *Return to Greatness* doesn't address (nor did my essay) how to achieve the kinds of sweeping reforms Burns urged without risking abuses of power by overzealous presidents.

Wolfe acknowledges the pitfalls of greatness, and the ways that Bush has made majority rule a fearsome thing. In his conclusion, he bastes the admin-

istration for privileging special over national interests, for its secrecy, for its systematic misrepresentations. Still, ever the optimist, Wolfe finds a silver lining even in Bush's re-election, which he postulates may yet lead the left to reject "utopian pastoral visions" and nostalgic communitarianism and rediscover nationalism and global engagement. Moreover, Wolfe writes hopefully, "Mr. Bush's way of governing has put the Democratic Party in the position of overcoming the divisions between its ideological wings."

Many readers will view the current situation more grimly. But at a time when many liberals are speaking of the American public as either fundamentalist kooks or manipulable stooges, Wolfe deserves respect for reaffirming the promise of liberalism and for placing hope in the possibility of restoring common dreams. **TAP**

David Greenberg is a professor at Rutgers University and the author of Nixon's Shadow: The History of an Image.

BOOKS

FREEDOM FREELY IMAGINED

LIBERTY AND FREEDOM: A VISUAL HISTORY OF AMERICA'S FOUNDING IDEAS BY DAVID HACKETT FISCHER Oxford University Press, 851 pages, \$50.00

BY JAMES A. MORONE

GEORGE W. BUSH USED THE WORD "freedom" 24 times during his second inaugural address. After the president's handlers rushed out and denied that he was looking to start more wars, George Bush Senior clarified the point of his son's speech. "It's about freedom," he explained.

David Hackett Fischer has a stern message for snickering Democrats: "For three centuries, American movements that lost interest in liberty and freedom succeeded only in removing themselves from the main currents of American life." Today the stakes are especially high. American freedom, argues Fischer, rests on a rich diversity of ideas; it is threatened whenever passionate, single-minded,

born-again apostles of a narrow view press their own vision of freedom while repressing others. That recurring danger, concludes Fischer, is "happening again as this book goes to press."

Liberty and Freedom is a long and dazzling call to arms. The book begins by asking what Americans mean by the two terms in the first place. Does George W. Bush have the same thing in mind as, say, Francis Scott Key, Martin Luther King Jr., or Bob Dylan? Liberty and freedom form a two-word American anthem passed down across the generations; the words reflect folk tradition with deep roots and commonsense meanings. How can we get at those meanings? Fisher's answer is to rummage about the national

attic and reflect on the stuff he finds: paintings, posters, powder horns, ceramics, coins, bells, bumper stickers, buttons, flags, spittoons, and more.

Fischer begins with a brilliant bit of etymology. "Liberty" comes from the Latin *libertas* and means unbounded, unrestricted; it denotes separation. "Freedom" comes from the languages of northern Europe (Norse *fri*, German *frei*) and suggests full kinship rights in a community; it denotes connection (as in "friend"). At the core of our political culture lies a dynamic tension between liberty (separation) and freedom (connection).

The opening chapters are the most riveting. Fischer traces the origins of our multiple traditions of liberty and freedom by examining revolutionary signs, each rooted in a different early American community. In Puritan New England, tight bands of Calvinist saints aspired to a "well-ordered" liberty symbolized by liberty trees. The telling New England totem—great, organic, trees deeply rooted at the heart of the community—adorned battle flags, crests, coins, and silver bowls.

In contrast, New York has featured 16 generations of ethnic tensions, class conflict, political turbulence, and economic competition—not to mention "abrasive manners and abusive speech" (of course Fischer lives near Boston). New York's revolutionary emblem was the liberty pole—a rootless, mobile, human construction that resembled a ship's mast and suggested both artisans' handiwork and class consciousness.

Quaker Philadelphia aspired to the Golden Rule. The Friends, comments Fischer, "were among the few people in the world who extended to others the rights they claimed for themselves." The Liberty Bell—heard by everyone in town—symbolized "universal liberty and freedom." The bell, however, eventually clashed with a different American fixation. Though it developed small fractures in the 1840s, taxpayers objected to buying a new bell and rang the old one until it cracked from lip to crown. Fischer cheers its "second career as a silent symbol of liberty and freedom," but we might also remember the jagged crack as an emblem of dubious tax resistance—a beloved

symbol of liberty ruined by tightfisted public finances. Ironically, George W. Bush ended his second inaugural address recalling that the Liberty Bell once “rang as if it meant something.” Thanks to a reckless 19th-century fiscal attitude, it will never ring again.

Virginia’s rulers understood liberty as gentlemanly privilege. The colony’s carefully graduated ranks ran from free nobility to African slaves. Virginians adorned their first state seal with classical allusions celebrating abundance, independence, and leisure. Perfectly fitting for gentleman slaveholders, perhaps, but when Thomas Jefferson passed the emblem around at the Continental Congress, the New England Yankees reacted scornfully. John Adams suggested that Virginians add a “lascivious lady called Sloth.” The early exchange proved prophetic: The abolitionists’ most effective argument scorched slavery for enervating Virginia’s ruling class—“cruel to the slave,” as Tocqueville would put it, but “fatal to the master.”

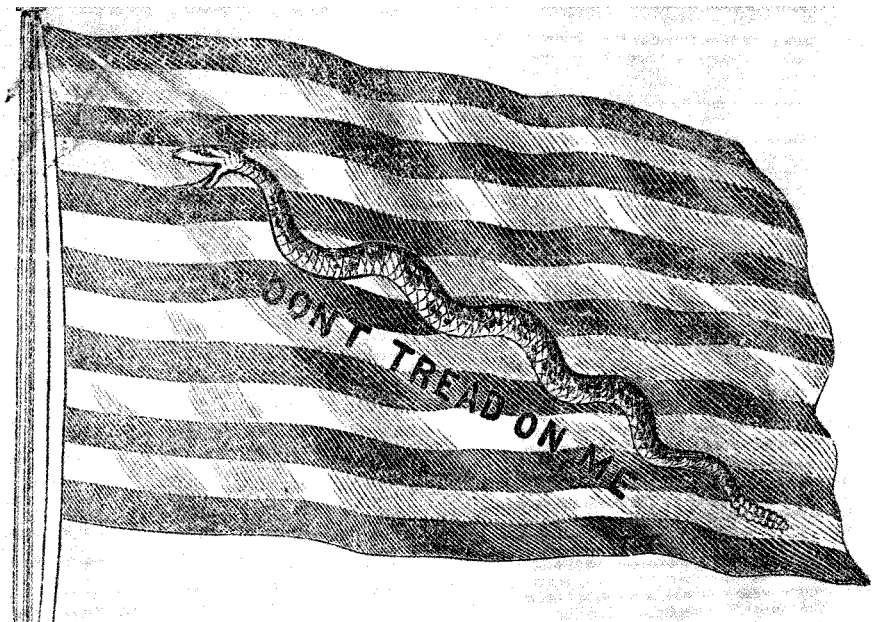
The most famous revolutionary image came from the backwoods borderlands in the West. To these rude settlers, liberty meant the right to live independently. Their battle flags pictured a rattlesnake with the maxim “Don’t Tread on Me”—the perfect symbol, comments Fischer, for a warrior ethos that despised government, cherished personal independence, lived apart, and settled differences in private. The rattlesnake is solitary, vigilant (no eyelids), never attacks without provocation, never wounds without notice, and never surrenders. The laissez-faire border spirit, still rooted in the West, remains a robust contemporary attitude; and the U.S. Navy brought back the old rattlesnake flag in 2002 and flies it from every vessel. The maxim carries a more ominous connotation when it is fluttering not above ragged rebels defending their homes but atop the most powerful warships in history as they glide around the globe.

Each region developed emblems that reflected its own distinctive vision of liberty and freedom. Fischer’s narrative traces the way they combined and evolved. No single vision of liberty is sufficient;

taken alone, some can be repressive. America’s glory lies in the dynamic mixing of the traditions, the constant flux and clash of freedom visions.

Liberty and Freedom gathers velocity as it moves across American history until it becomes a kind of manic slide show. Brief descriptions, riveting stories, interesting folk objects, and sharp insights about liberty and freedom tumble across the pages—fast, fascinating, and occasionally frustrating. Individual episodes are brief—Fischer is covering four centuries—so the nuance sometimes drops out. For example, Prohibition evenly

sion from his grand narrative: “Every American generation without exception has expanded the meaning of liberty and freedom.” The sheer multiplicity of our liberty and freedom traditions impels us relentlessly forward. The trouble with this argument (historians call it “Whig history”) is that it implies an inexorable liberalizing process rather than the constant, perilous struggle to win and maintain our liberties. And there’s no better caveat to Whig history than Fischer’s honest agitation about the Bush administration. The progress that no doubt seemed so robust when Fischer started



The Backwoods Image of Freedom: Not quite the same symbol when flying from battleships

divided the nation but soon taught us “the limits of moral regulation in a free republic.” A closer look suggests that the noble experiment collapsed only after the Depression shifted the entire political framework. The losers never learned a cheerful lesson about limits; they remained true believers as the Depression pushed them out in 1930, and jumped right back into the business of moral regulation when they returned to power a half-century later. (We arrested nearly 750,000 people for smoking marijuana last year thanks to a criminal-justice framework originally organized during Prohibition.) Still, Fischer would point to Prohibition’s bottom line: The more robust American view of liberty won out. As usual.

Fischer draws a controversial conclu-

writing this magisterial volume now looks to be in peril as the Bush administration defies the dynamic pluralism of America’s freedom traditions.

Liberty and Freedom ends with the hope that American foreign policy will continue to spread liberty by constructing “constitutional democracies, free-market economies, and open societies.” Alas, there are as many versions of the market as there are traditions of freedom. What we’re pushing today is our own increasingly bare-knuckle, inequalitarian economics—unleavened by public interest or visions of solidarity. The war on terrorism only steels the harsh perspective. Still, every war began by undermining liberty and ended by extending it. If Fischer got that American dialectic

right, the Republicans will adjust their attitudes or get buried along with their pinched vision of freedom. I hope he's right. But, never mind Whig history, there's nothing inevitable about liberty or freedom. Every generation has to win them all over again.

David Hackett Fischer's luminous epic reminds us that we've been here before, that we've beaten back worse threats to

our freedom. But even a glorious past and a rich set of traditions cannot secure the future. Those of us who cherish America's traditions of liberty and freedom are in for the fight of our lives. Again. **TAP**

James Morone is a political-science professor at Brown University and the author, most recently, of Hellfire Nation: The Politics of Sin in American History.

BOOKS

STREET FIGHTS

EVERY MAN A SPECULATOR: A HISTORY OF WALL STREET IN AMERICAN LIFE BY STEVEN FRASER HarperCollins, 752 pages, \$29.95

BY HAROLD MEYERSON

CAN THE NEW DEAL BE REPEALED? Is America's welfare state, incomplete though it is, so out of sync with the nation's individualistic ideology and the political power of business that George W. Bush can actually topple its greatest monument, Social Security?

Are so many Americans now invested in the market that a majority favors replacing social insurance with private accounts? Or are Americans' egalitarianism, their mistrust of financial wheeler-dealers, and their fears of economic volatility still potent enough that Social Security can be saved after all?

Before answering those questions one way or another, the reader would do well to consult the collected works of Steven Fraser, who over the past couple of decades has emerged as a leading historian of American capitalism and the attempts to reform it. In 1990, Fraser co-edited *The Rise and Fall of the New Deal Order*, an examination of the changes in the political economy that paved the way for the Reagan era. In the 1990s, he authored *Labor Will Rule*, a biography of Sidney Hillman, the clothing-workers-union president, one of the founders of the Congress of Industrial Organizations, and Franklin Delano Roosevelt intimate. The Hillman biography is really a groundbreaking study of the roots of the Keynesian liberalism at the core of the New Deal. As Fraser tells the

tale, Hillman was at the center of a group of unionists, economists, and, most critically, mass-market businessmen such as Edward Filene, who all sought to break the stranglehold that Wall Street and heavy industry—steel, rail, chemicals—held over American capital. Together, they created the mass consumptionist legislation—legalizing unions, establishing Social Security and the minimum wage—that we've come to think of as the essence of the New Deal.

Fraser took 688 pages to deal with labor; now, at close to the same length, it's capital's turn. *Every Man a Speculator* is, as Fraser acknowledges, an unusual history; its subject, he writes, is "the Wall Streets of the American mind." The book is an account of the role that finance has played in America's business, politics, culture, religion, imagination, fantasies, and phobias. It is not, therefore, simply a history of Wall Street, though some of it reads like a Matthew Josephson account of such robber barons as Jay Gould and Jim Fisk, and other parts like C. Wright Mills on such power elitists as John McCloy and Henry Stimson. Fraser looks at the image of Wall Street in the works of the Adamses, Herman Melville, Mark Twain, Theodore Dreiser, F. Scott Fitzgerald, John Dos Passos, Frank Capra, Tom Wolfe, Oliver Stone, and numerous, more obscure novelists, playwrights, and filmmakers. He

looks at the populist pushback against the Street that shaped the politics of the late-19th and early-20th centuries (here, he's Alfred Kazin; there, he's Michael Kazin). He recounts the populist comedy routines of Will Rogers and Eddie Cantor. His scholarship, over a vast range of disparate materials, is dazzling. Running through the work, for instance, is a discussion of board games, from antebellum America through contemporary video pinball—some of the games illustrating the moral pitfalls of the speculator's life, more showcasing the visceral thrill of making a killing.

As a near-encyclopedia of American economic, social, and political history, *Every Man a Speculator* is a treasure trove of information. As a panorama without a protagonist or clear narrative line, though, it can in spots seem arbitrary in its focus and repetitive in its emphasis. Until it reaches the late-19th century, the book has an almost episodic quality. Then it tautens perceptibly as J.P. Morgan strides onto the scene. As American capitalism grows more organized, so does Fraser's history.

Every Man a Speculator is too sprawling to have a thesis, but it does have a number of themes. One is that even though finance may today dominate the economy (e.g., the Clinton boom) and the polity (e.g., our trade policy and the threat of privatized Social Security), it hasn't always. In crucial periods of our history, other forms of capitalism that paid more attention to workers, consumers, and the government than to short-term share value did a better job of creating widely shared prosperity than our current "shareholder über alles" model.

The biggest eclipse of finance as a power in American economic life came during the height of the New Deal order—the years of the post-World War II economic miracle, when America became the first nation in human history that was home to a middle-class majority. At a time when prosperity did not trickle but gushed down—the rate of home ownership increased from 40 percent in 1939 to 66 percent in 1955, and median household income rose from \$19,500 in 1947 to \$26,800 in 1959—the

role of finance had never been more negligible. Between 1950 and 1973, non-financial corporations funded 93 percent of their capital expenditures out of internal resources. American capitalism during the boom years didn't depend on Wall Street and wasn't subject to the tyranny of shareholder value that has since depressed wages and eliminated benefits and job security. Nor did talent flock to Wall Street during these years. In 1928, 17 percent of Harvard Business School grads went there; in 1941, just 1.3 percent did. As late as 1976, just 10 percent of the grads headed for Wall Street, but a decade later, that figure had tripled. Ironically, during the height of the New Deal order (which is to say, during the Cold War) it was Wall Street—McCloy, Robert Lovett, Dean Acheson, James Forrestal, and the like—that ran the world.

The biggest eclipse of finance as a power in American economic life came during the height of the New Deal order after World War II.

But it did so within the framework of the economy that FDR had built.

Previously, Fraser documents, when finance had run the American economy as it saw fit, it fostered a level of class conflict that the New Deal order subsequently suppressed. *Every Man a Speculator* contains a nuanced appreciation of populism in American life: It was, Fraser argues, a politics that looked "backward and forward at the same time. [Programmatically] it anticipated the modern regulatory state way in advance of the urban upper-middle classes ... [Culturally, however,] the glare of Wall Street lit up an antique nightscape in the Populist imagination. It was populated by the oversexed and the emasculated, by urban tricksters and sybarites, by moral prostitutes, alien conspirators and apocalyptic demons."

In a sense, Fraser provides an answer to Tom Frank's mighty question, what's the matter with Kansas? The cultural half of populism always raged at a cosmopolitan elite from the moral low ground of provincial bias and, occasionally, bigotry. Where, Fraser wonders, has populism

gone? Despite the financialization of American capital, despite the rise of such latter-day Jay Goulds as Michael Milken and Kenneth Lay, the populist rage at Wall Street—a constant, if often minority, tendency from 1790 through 1940—has not returned. Why, Fraser asks, is Eliot Spitzer the only elected official really pursuing the neoswindlers of the new economy? The gutting of American industry and unions that has proceeded apace over the past quarter-century has "eviscerated the main social foundation of resistance to Wall Street's political hegemony," he notes.

That's a big part of the story, but not all of it. The same kind of invective that Kansas showered on Wall Street in the 1870s and 1890s and 1910s and 1930s is with us, in only somewhat less florid fashion, today. But now, it is directed at the

liberal media, the government, Hollywood—at the liberal establishment that the right has successfully demonized—even as it has depicted the champions of the new, break-the-social-contract capitalism of Milken and hundreds of more garden-variety CEOs as the heroes of a new, if not empirically demonstrable, age of American prosperity.

And yet while America's mistrust of its financial operators may be largely dormant, Wall Street fears it can be roused. The firms that would benefit to the tune of billions by selling private retirement accounts have concluded that anything they could say on behalf of privatization would likely boomerang with the public. Once upon a time, Fraser recounts, angry mobs actually chased Jay Gould and Jim Fisk through the streets of New York when the tycoons' efforts to corner the gold market ended in a financial panic. Before the New Deal, mobs were a regular feature of American capitalism. If the New Deal is to be swept away, even Kansas might recover its economic populist impulses. **TAP**

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The Bolton Fights (Plural)

BY MICHAEL TOMASKY

WITHIN MINUTES OF SECRETARY OF STATE CON-
doleezza Rice's March 7 announcement that John Bolton was the administration's pick as ambassador to the United Nations, liberal Washington sprang into action. Bolton, suddenly, was Topic A, even more so than

Social Security. His dismissive quotes about the United Nations were given wide circulation in the stream of e-mails that landed in hundreds of liberal in-boxes around town; bloggers, led by Steve Clemons, who writes the excellent Washington Note (www.thewashingtonnote.com), organized a campaign to pressure the Senate Foreign Relations Committee to delay hearings that the administration had wanted to fast track.

The reason for the urgency was obvious: The idea of making Bolton the point man for the United States' dealings with the UN surpasses all available fox-and-henhouse analogies; it's more closely akin to putting Michael Jackson in charge of a chain of foster homes. Bolton has left a long paper trail, with two ceaseless themes: first, the "fact" that there is really no such thing as international law, that there is only politics; and second, that the UN is utterly worthless.

The pressure campaign opposing Bolton worked, at least in its first phase. MoveOn joined the fray, and Citizens for Global Solutions, a nonpartisan membership organization dedicated to global interdependence, started a Web site called StopBolton.org. Committee Chairman Richard Lugar delayed Bolton's nomination hearings until April.

The attention of opposition groups was turning at press time to the potentially "gettable" Republican committee members. This (short) list may include Lugar himself, who is known in Washington not to be a Bolton fan, but it fo-

cuses chiefly on Rhode Island's Lincoln Chafee. He's up for re-election in his navy-blue state in 2006, and one recent poll showed him already down 15 points to his putative Democratic challenger.

Among committee Democrats, the most likely defection on paper looked to be Florida's Bill Nelson, also facing his (red) state's voters in 2006. But sources suggest that suspicious eyes are casting their glance far more toward Russ Feingold. The Wisconsin Democrat wants to seek the presidency. If anti-Bolton forces manage to wring a "no" vote out of Chafee, a "yea" from Feingold would be decisive and would send the nomination to the floor. That's not a good way to start a presidential candidacy.

Meanwhile, if Lugar really wants to express his reservations in a measurable way, he might call a certain Ambrosius Tung Young to testify at Bolton's hearings. Young is a Hong Kong businessman and major GOP benefactor who donated handsomely to something called the National Policy Forum (NPF), which was set up as a non-profit educational institute by former GOP Chair Haley Barbour in advance of the 1994 congressional elections. By 1996, the NPF had quit paying a bank loan that Young had guaranteed. According to *The*

Washington Post, this didn't stop the NPF's president—one John Bolton—from authorizing the bank that held the note to start taking its payments directly from Young. Eventually, the GOP reimbursed Young for half of what he had lost, but it would be interesting to try to learn his candid views on the matter today.

Bolton may well win confirmation, precisely because most Democrats don't view a nomination fight as worth the political capital. Which brings us to the second Bolton fight.

His writings make clear what his top priorities will be:

First, a rejiggering of the UN to suit the conservative worldview. Bolton's writings give France and maybe even England reason to be nervous about what a Bolton-inspired Security Council would look like. (Japan, meanwhile, may have reason to smile.) More broadly, the world body should prepare for major fights over American financial support.

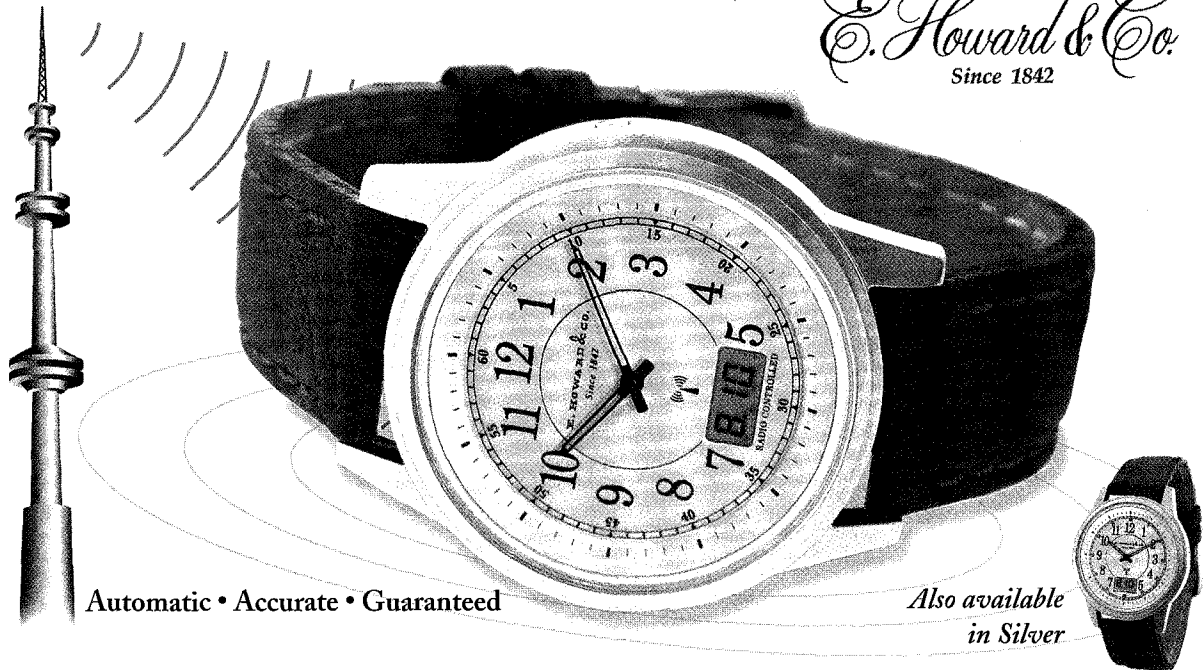
Second, a push toward formal recognition of Taiwan. Bolton couldn't make this happen; but it is something he has long advocated, and he would almost certainly use his new pulpit to push policy in this direction. In 1999, Bolton opined that the idea

of China responding to such a move with force was "a fantasy." The notion seemed far less fantastical, though, just a week after Bolton's nomination, when China enacted a law authorizing the use of force against Taiwan if it moves toward formal independence, a status that U.S. recognition would obviously encourage.

If Bolton is confirmed, Democrats and moderate Republicans will need to start formulating their positions on these two questions immediately and marshaling American and global public opinion in support of a coherent alternative view. But that "if" is bigger than it was the day the nomination was announced. **TAP**

Robert B. Reich will return next month.

Two senators in particular are on the hot seat as the vote on Bolton's nomination approaches.



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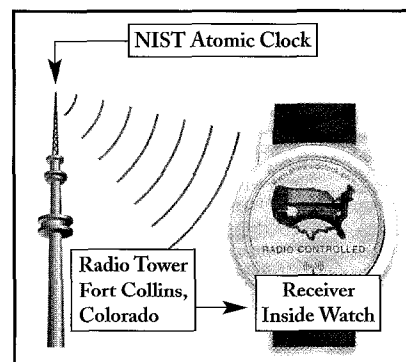
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